Pre-Payment of Indian (Inland and Ship) Postage on Covers forwarded to Hong Kong.

NOTICE is hereby given, that in conformity to the instructions of Her Majesty's Post Master General, no Letter or Newspaper will, in future, be received at this Office for transmission to Hong Kong, unless the entire amount of Indian (Inland and Ship) Postage due for the conveyance of the same to its ulterior destination, shall be previously paid by the Sender at the time of posting at the Despatching Office.

It is to be distinctly understood that this rule does not apply to the description of covers forwarded by the Peninsular and Oriental Company's Contract Steamers, as on them, the prescribed British Packet rate of Postage is charged.

Calcutta, Genl. Post Office, the 4th Sept. 1846.

Revised Rates of British Packet Postane, leviable on Newspapers, Prices Current and Commercial Lists, conveyed by the Peninsular and Oriental Company's Steamers from and to Indian Ports.

WITH reference to the Notification issued by this Office, under date the 17th April last, further notice is hereby given for general information, that under the instructions of Government, every Newspaper, Price Current, or Commercial List, which may be posted for conveyance by the Peninsular and Oriental Company's Contract Steamers, from any one Indian Port to another, shall henceforth be charged with British Packet Postage, at the rate of Nine Pie, or Three Pice, (Three Quarters of an Anna.) instead of Eight Pie, as formerly fixed Calcutta, Genl. Post Office, the 4th Sept. 1846.

NOTICE is hereby given, that under Orders of Government (except during the hours and for the purposes specified below,) the General Post Office will be henceforth strictly closed on Sundays.

From 6 A M. to 10 A. M., for the sorting and distribution of Letters.

From 4 to 6 P. M., for the receipt and despatch of Ditto.

W. TAYLER, Post Master Genl.

Calcutta, General Post Office, 2d October, 1846.

LIST of Unclaimed Letters remaining in the General Post Office, which accumulated between the months of July to September 1847.

N.

Newmarch, Serjt Major-H M 14th Light Dragoons, Umballa.

Nach, Mr James-Care of Mr John King, Mirzapore, near Calcutta.

Nelson, Lieut J.-Dinapore, till called for.

Nicoll, E-q Jas-Care of Mr Thompson, Baptist Mission, Carcutta.

Newhouse, E-q G-Chougutcha Factory, Jessore, Noble, Mr Mark-At Mesers Cook and Co's Stables, Calcutta.

Nalow, Mr—Residing in No 13, Chinaparrah.
N. Leon, E-q (3 tetters) - Steamer " Patna," Monghyr.
Nicolls, Genl Sir Jasper - Commander in Chief in India.

Ne-bett, Esq R P-Bengal Civil Service. Nine, Madame V L-Dans L Jude.

Noatsh Mr-Formerly Serjt Major 52d Regt N I, Monghyr.

Nanock Chand,-Chowdharree of Moorshedabad, near the Guiderollah Thanna, or Police, or to the New College, Calcutta. Narainpersad,-Mabajun, Agra.

Nursee Twendal,-Surveyor Genl Office Estabt on

Number I Webdai, Surveyor Geni Gude Estate on detached duty, Dinapore.

Nobin Chunder Doss, — Chinsurah College.

Nundiall — Care of Monsiff Turbut Ally, Monghyr.

Nubin Kisson Soor, — Care of Adjt of the Regt of Jellalabad.

Niliutton Bose, -Chinsurah.

Nobin Chunder Mittre,-Monsiff of Rajapore, Zillah Hoogbly.

N India Fire Insurance Company,-Calcutta.

Newham, Mr J M-Ship "Agincourt. Naylor, Mr G-Ship "Soobahdar."

Nowlan, Mr Wm-Ship "Windsor."

O.

O'Brien, Capt Jas-Attached to Genl McLeod, Allahabed.

Ogilvy, Mrs-Serampore.

Oven, E-q J-Indigo Planter, Assam.

O'Ram. Mr Jas-Gardener, Serampore,

O'Hattoran, Genl Sir J - Hon'ble East India Company's Service.

Oswin, Mr Richard-Post Office, Calcutta, till called for.

O'Connor, Mr Rodric-Post Office, Calcutta.

O'Ram, Esq J P-Care of A O'Ram, Esq Hanskolly, Kishnagur.

Orr, Esq A P-Care of F A Walker, Roussac and Co. Calcutta.

Orr, Mr. To wait her arrival at Monghyr.

Owen, Esq Thos (4 letters)- Monghyr.

Ρ.

Palmer, E-q W (2 letters)-Supg Civil Buildings of

Palmer, Mrs W (2 letters)-Care of W Palmer, Esq Rungpore.

Popham, Mr A A-Str "Nerbudda," at Dinapore.

Pierce, Miss S-Agrah.

Pennington, Mr - Ship "Jeboneux," out bound, Kedgeree.

Palmer, Esq Edwd-Contajobrah Factory, Moorshe-

Parmeson, Mr H-at Kedgeree. Posao, Lieut J f-1st Lt Cavalry, Umballah.

Peter, Mr J-Care of S. Gomes, Band Supplier, Um-ratullah Lane, Calcuta.

Perkins, Revd W II-(D D) Patna Press.

Pykes, Mr Richard-On board the Ship " Agricola," Calcutta.

Platt-, Mrs R-Calcutta

Preston, Mr Benjamin-Private Soldier, Labore.

Pashing, Mr-Of the Moulmein Pilot Service, care of the Master Attendant, Calcutta.

Pirrelli, Moni (2 letter*)—Care of Bates, Feilden and Co, Calcutts.

Poyaton, Mrs E-Chitpore, near Calcutta.

Paul, Miss S - Care of Baboo Paul, Kishnagur. -Price, Miss Agnes-At Mrs Girling's Seminary, No.

2, Camac Street, Chowringhee, Calcutta.

Phillips, Cupt Robt (2 letters)—Bengal. Palmer, Mr F G A (2 letters)—Calcutta.

Peat, Lieut-61st Regt, Bengal.

Peycher. Monsieur Alex—Calcutta.
Pryme, E-q Saul—Surgeon, Fort William, Calcutta.
Phillips, Mr J G—To be left at the Post Office, Cal-

cutta. Plowden, Madame A-Civil Service, Calcutta, care of

Cockerell and Co.

Peters, Esq K C—Calcutta.
Patton, Esq P E (2 letters)—Benyal Civil Service.
Pigou, Mr W—Mats, Bengal.

Purvis, Lieut B-13th Bengal Infantry. Pereira, Esq W V-Calcutta.

Power, Lieut-7th Madras Cavalry, to wait at Moughyr.

Power, Esq M H-No 13, Park Street, Chowringhee,

Penn, Esq Edward-Solicitor, Nisbitt Street, Calcutta. Patterson, Revd Jas-Mission House, Calcutta.

Pelmer, Eeq E-Berhampore. Puole, Mr Chas-Caloutta.

Price, Revd R M-(A B) Benares.
Poulterer, Mr J-No 4, Meredith's Lane, Cossitollah, Calcutta.

Pascal, Mr E M-Benares.

Powell, Esq J-101. Chowringhee Road, Calcutta. Porter, Mr Wm John Post Office, Singapore.

Piron, Esq J-Monghyr.

Potter, Mr Chas-Hele, Steam Ship "Bentinck," Calcutta.

Pratt, Miss—Bowdungah Factory, Pubna. Plowden, Lieut H. C.—Monghyr.

Pryce, Mrs.—Dinapore Pennaroo, J.—Care of Mc F Pereira, Chittagong.

Punchanun Mittre, — Calcutta. Prawnkissen Mittre, (2 letters) — Calcutta.

Petumber Mittre, (6 letters)-Behalpore of Bhohanipore, on the 21-Pergunnah of Bengal, at Chandernagore.

Punchanun Mokerjee - Midnapore. Pan, Fooklong E-q (2 letter-)—Arracan. Proudfoot, Capt - Ship 'Duke of York' Poundar, Capt John-Barque " Hindoo." Perry, Mr W-Ship " Java Penny, Mr R B—Ship "Java."
Pinn, John—Ship "Isabella Hercus."
Price, Mr—Ship "Potentis."
Phillips, Mr M—Ship "Syria."

(To be Continued.)

J. R. BURLTON BENNETT,

Deputy Post Master General.

Calcutta, Genl. Post Office, the 18th Novr. 1847.

Agra, 30th October, 1847.

NOTICE.—Several instances having been lately brought to the notice of the Post Master General N. W. Provinces, of Officers having franked as on the Public Service communications to the Post Masters and Steam Agents, containing instructions

regarding their private Letters and Parcels.

The annexed Extract from the Rules for the management of the Post Office Department, passed by the Governor General in Council on the 30th August 1837, is re-published for general informa-

tion:

If after the date of publication of this notice, any public Officer shall frank as on "Service," a communication of the nature above alluded to, the penalty enacted in Section V. of Act XX. of 1838, will be strictly enforced.

All references and appeals to the Post Master General will be forwarded free of postage, if super-scribed "on Post Office Service," and signed with the full signature of the party by whom the reference or appeal is made.

H. B. RIDDELL,

Post Muster General N. W. P.

Extract from the Post Office Rules of the 30th August, 1837.

Letters addressed to public Officer on pri-vate affairs to be Post-

SECTION LIX. - Letters which Individuals address on their private affairs to any Government Offices, must be

sent "Post-paid," and this Rule is to be understood to include Letters transmitting Bills of Exchange, Promissory Notes, Receipts, Government Securities, &c., to the Accountant General, Government Agent, or other public Officer, but this practice shall be reversed when public Officers write Letters on such subjects to Individuals, on which occasions they shall superscribe on the envelopes with their official signatures the words "Bearing Postage."

(True Extract,)

H. B. RIDDELL, Post Master General N. W. P. FREIGHT AND PASSAGE TO THE NORTH WESTERN PROVINCES.



The Cargo Boat "Luckia," in tow of the Steamer " Thames," will be despatched to the North Western Provinces on the 24th

instant, via the Soonderbunds.

The Boat Office is now open for the reception of Cargo.

Steam Dept, the 18th Dec. 1847.

FREIGHT AND PASSAGE TO THE NORTH WESTERN PROVINCES.



The Accommodation Boat "Sut-ledge" in tow of a Steamer, will be despatched to the North Western Provinces on Wednesday,

the 29th instant, at 8 A. M., via the Sunderbunds.

The Boat Office will be open for the reception of Cargo from the 24th idem.

By order of the Superintendent of Marine,

J. WOODLEY,

Clerk of the Govt. Boat Office.

Steam Department, the 21st December, 1847.

NOTIFICATION.

Fort William, the 16th December, 1847.

OPIUM .- Notice is hereby given, that on Monday, the 27th December, 1847, at the hour of Eleven o'Clock in the forenoon, will be put up to Sale at the Exchange Rooms, at Calcutta, and sold by Public Auction, for Exportation by Sea, the undermentioned quantity of Opium, the provision of 1846-47, subject to the following Conditions,

Produce of Behar Agency, Chests 1,830 Ditto of Benares ditto,....,

Total Chests,... 2,610

CONDITIONS OF SALE.

1st .- The Opium will be sold for Exportation by Sea only, and no Certificate will be granted except to cover such Export.

2d -The Opium will be ordinarily offered for Sale at an upset price of Rupees 400 per Chest, and sold to the highest bidder above that price; except under the circumstances for which provision is made by Clause 12th of the Conditions

3d.—The Sale shall commence at the hour of 11 A. M., and shall not be continued after the hour of 5 P. M; but if at that hour any of the lots advertized for Sale shall remain unsold, the Sale may at the discretion of the Board of Customs, Salt and Opium, be resumed on the next day following (not being Sunday or a public Holiday) at the hour of II A. M., and so on until the whole of the remaining lots are disposed of; or, if the quantity of 2,610 Chests shall not be sold on the day advertized, the Board may dispose of the Lots which remain on hand at a future Sale.

4th .- Each Lot to contain Five Chests.

5th.—A deposit in a Promissory Note for 25 per Cent. even money of the amount for which each lot is knocked down, shall be made by the purchaser in the Sale Room, and before the lot is

Registered in the Sale Book, and all such Promissory Notes shall be redeemed on the part of the Purchasers at this Office, by Sub-Treasurer's Receipts, or by substitution of other Public Securities of the Bengal Government, on or before 4 o'Clock of the afternoon of Wednesday, the 29th December 1847; or on the other hand, failing such redemption by the time aforesaid, then the lot or lots for which no Sub-Treasurer's Receipts, or deposit of other Public Securities as aforesaid, shall have been delivered in, shall be re-sold at such time or times, and under such conditions of re-sale as the Board of Customs, Salt and Opium, shall see fit, and all losses and expences whatsoever attending such re-sale, shall be borne and paid by the defaulters, whilst any profit accruing from such re-sale shall be forfeited to Go-

6th.—The Promissory Notes taken on the day of Sale, under the last mentioned Condition, if remaining unredeemed on the said 29th December 1847, will be placed in the hands of the Attorney to the Hon'ble Company for realization in such manner as to him shall seem fit.

7th.—No Tender of Money, Sub-Treasurer's Receipts or Public Securities, on account of Opium, upon which the prescribed deposit may not have been made before 4 o'Clock of the 29th December, will be afterwards accepted.

8th.-The Opium now advertised for Sale shall be paid for within fifteen clear days from the day of Sale, that is to say, no Treasury Receipt will be accepted in payment after 4 P. M. of Tuesday the 11th January 1848, and in case any lots of such Opium shall not be so paid for, and adjusted, then the cash deposit of 25 per Cent. even money of the amount for which each lot is knocked down, or any Public Securities that may have been deposited on account of such lots or chests, shall be forfeited, and the Opium be disposed of on account of Government at such time and in such manner as the Board of Customs, Salt and Opium, shall think fit, and the first Purchaser shall further be required to make good any loss or difference of price between that obtained at the re-sale, and the amount at which the Opium was first purchased, forfeiting all advantages that may arise from such re-sale.

9th.—Purchasers taking out Certificates or Orders for the delivery of Opium, after making full payment as above prescribed, shall have the option of naming the number of lots of their purchase, which they may desire to be included in each Certificate or Order, and it is to be clearly understood, that the Certificates or Orders so taken out shall be considered final and not afterwards changeable for other Certificates or Orders authorizing the delivery of single lots, or of a different number of lots or chests, whether more or less than the number of lots or chests originally required to be included in each Certificate or Order.

10th.—No Sub-Treasurer's Receipts, or Deposit of Public Securities, under the fifth of the present Conditions, will be received in this Office, except from the party recorded as the Purchaser in the Sale Book, or his authorized Agent. The receipt for deposit of Public Securities will be granted only in the name of such Purchaser, and the Securities so deposited will be returned when clearance has been made by the said Purchaser or his order.

11th.—The Officer Superintending the Sale on the part of the Board of Customs, Salt and Opium,

is empowered to reject at his discretion the bid of any individual, unless such individual shall, on demand, tender at the time, a deposit either in Bank of Bengal Notes, Sub-Treasurer's Receipts, or other Government Securities, equal to 25 per Cent. even money of the amount so bid.

12th.—With a view to prevent fictitious biddings designed to obstruct the Sale, it is hereby notified, that the Officer of Government Superintending the Sale, shall be competent at any time during the Sale to withdraw any unsold lot, and immediately to put it up again for Sale at a maximum upset price, diminishing the same gradually until a bid is obtained, and the first bona fide bidder for a lot, after it has been offered for Sale in the mode here described, shall be held and declared to be the Purchaser of the said lot, and the Officer of Government Superintending the Sale shall also be competent to dispose in the same manner of as many of the subsequent lots as he may think proper; provided always, that no lot shall be sold below the minimum price of 400 Rupees, specified in the 2d Clause of these Conditions.

13th.—The Purchaser of any lot shall have the option of naming and purchasing in immediate succession any number of lots of the same Agency Opium to the extent of twenty-five lots, and for the lots so purchased, the Purchaser shall deposit for each lot 25 per Cent. even money of the amount bid by him for the first lot, and pay the same price per chest as that for which he purchased his first lot; provided always, that there remain a sufficient number of lots of that Opium to complete the said twenty-five, but not otherwise.

14th.—In the event of any dispute or difference touching or concerning any matter or question arising out of the Sale of the Opium included in this Notification, or adjustment of the account thereof, the same shall and may be tried and decided in the Supreme Court of Judicature at Fort William in Bengal, and all and every Plea and Pleas to the jurisdiction of the said Supreme Court shall be waived.

15th.—The following Papers, together with samples of the Opium for Sale, will be exhibited for inspection on the day of Sale, or may be seen previously to that date, by application at the Office of the Secretary to the Board of Customs, Salt and Opium.

No. 1—Certificate of the Opium now advertized for Sale.

No. 2-Report of the Examination of such Opium.

16th.—The Public are hereby informed, that in providing the investment of the Behar and Benares Opium for the year 1846-47, the same precautions have been taken as those which have been observed during past years, to have the Drug procured and sent down in a pure state, to have only the prescribed quantity of leaves used in forming the cakes, and to have the due proportion of Opium put into each cake. An account of the weight of the Drug when packed at Behar and Benares, and a statement of the average weight of the chests indiscriminately taken for the purpose of comparison from the dispatches on arrival at Calcutta, may be seen on application at the Office of the Secretary to the Board of Customs, Salt and Opium, and further that four chests of Behar and Benares Opium, which have been reserved from the provision of the two preceding years, will be also shewn to the Purchasers on the day of Sale, to enable them to judge of the state of preservation in which the Drug has kept.

17th.—Any further information respecting weight or quality of the Opium advertised for sale, that may be desired by parties connected with the Trade will, as heretofore, be furnished to them on application at the Office of the Board of Customs, Salt and Opium; but in accordance with established usage, under no circumstances will the Board entertain or recognize any claim to compensation for loss from any alleged deficiency of weight, abstraction of Opium, or adulteration of the drug which may be preferred in reference to chests after the sale and delivery of the Opium for shipment.

18th .- The Public are hereby informed, that in addition to the quantity above mentioned, the following quantities more or less of Behar and Benares Opium of 1846-47, will be brought to sale in the present season on or about the dates specified below:

	Behar, about Chests	Benares, about Chests	Total, about Chests
On or about Monday, the 2 24th January 1848, On or about Monday, the 3	1830	780	2610
21st February 1848, On or about Wednesday, the 22d March 1848,	1830	780 780	2610 2610
On or about Monday, the	1830	780	2610
On or about Monday, the \\ 15th May 1848, \\ On or about Monday, the \\	1830	780	2610
12th June 1848,	1830	780	2610
On or about Monday, the	1830 1830	780 780	2610
7th August 1848, } On or about Monday, the	1830	780	2610 2610
4th September 1848, S On or about Monday, the 16th October 1848,	1831	774	2605
Total,	18301	7794	26095

By order of the Board of Customs, Salt and Opium,

CECIL BEADON, Offg. Secy.

THE Public are hereby informed, that the Sub-Treasurer will negotiate Bills, not less than Company's Rupees 1000 each, upon the undermentioned Provincial Treasuries, at the rate cited, to the extent of the surplus available at each Treasury:

Collector Midnapore, Deputy Collector Bancoorah, Collector Burdwan, Collector Mymunsing, Collector Tipperah, Deputy Collector Bullooah, Collector Purneah, Deputy Collector Pubnah, Collector Furreedpore, Deputy Collector Maldah, Collector Dinagepore, Collector Rungpore, Deputy Collector Bograh,
--

R. WALKER, Accountant, Govt. of Bengal.

Fort William, Accountant's Office, Revenue Department, the 17th December, 1847.

COMMISSARIAT NOTICE.—Sealed Tenders will be received at the Executive Commissariat Office at Benares, up to 4 P. M. of the 14th of January 1848, for the Supply of Bread, Butter, Milk, Fowls, Salt, Eggs, Flour, Ottah, Gram, Bhoosah, Fire Wood, Hospital Clothing and Quilts, for the Benares Division of the Army, from 1st of May 1848.

Tenders will be received for each Article separately, in Forms to be had, on application to the Benares Executive Commissariat Office, and not otherwise; and they will be opened and read on the 15th of January 1848, at noon precisely, in the presence of such parties concerned, as may choose to attend, at this office.

T. F. Hobday, S. A. C. General. Executive Commissariat Office, Benares, 13th Dec., 1847.

Court for the Relief of Insolvent Debtors at Calcutta. THE matters of the Petitions and Schedules (the same having been filed in Court,) of the Insolvent prisoners hereinafter named, are appointed to be heard

On Saturday the 5th day of February 1848, at the hour of 11 o'Clock in the Forencon,

WILLIAM DICKSON, of Mott's Lane, in Calcutta, Banker and Trader.

SHAH MOOZAFERALLY, of Clive Street, in Calcutta, Hide Merchant.

Nobinchunder Saha, of Baugbazar, in Calcutta, Inhabitant.

" No Creditor will be allowed at the Hearing "to oppose the discharge of a prisoner, unless he shall have given notice to the Chief Clerk three clear " days before the day of Hearing."

Office of Examiner, 17th December, 1847.

Mr. Anley, Atty. Messrs. Molloy, Mackintosh & Poc, Atties. Mr. Panioty, Atty.

In the matter of Henry Chapman Kemp, an Insolvent, sometime trading at Calcutta, as Merchant and Agent, under the firm of T. H. Gardener and Company, and sometime trading in Co-partnership with Robert Seymour Strickland, at Calcutta, as Mer-chants and Agents and Secretaries to the Alliance Insurance Company, under the firm of Kemp, Strickland and Company.

ther Hearing in this matter for the purpose of declaring a Dividend: An Account of the Receipts and Disbursements of the Assignee from the 1st day of December 1846 until the 30th day of November

Saturday, the 8th day of January next,

is appointed for fur-

1847, has been filed, and may be inspected at the Office of the Chief Clerk.

Saturday, the 6th In the matter of James Small, of Calcutta, an Insolvent, day of January next, late a Member of the firm of is appointed for fur-Small and Company. ther Hearing in this matter, for the purpose of declaring a Dividend:
An Account of the Receipts and Disbursements of the Assignee from the 23d day of February until the 30th day of November 1847, has been filed, and may be inspected at the Office of the Chief Clerk.

"Any Creditor or other person interested " who may intend to establish or oppose any Claim " upon the Estate of the said Insolvent, may attend " and be heard, having given notice to the Chief Clerk three clear days before the day of Hearing."

Office of Examiner, 21st December, 1847.

Mr. O'Dowda, Assignee.

In the matter of Albert) John de Hochepied Larpent and John Beckwith, now residing at Chandernagore, lately carrying on business in Co-partnership at Calcutta, as Merchants and Agents, under the Style and Firm of Cockerell and Company. pent and John Beckwith, have committed an Act

On this day, Saturday, the 18th day of December, It was Adjudged, that the petition of John Freeman, presented to the Court in this matter, Is true, and that the said Albert John said Albert John de Hochepied Larof Insolvency, under the Provisions of the Statute

9th George IV. Cap. 73. Mr. Meiklejohn, Atty.

In the matter of Albert John de Hochepied Larpent and John Beckwith, now residing at Chandernagore, lately carrying on business in Co-partner-ship at Calcutta, as Merchants and Agents, under the Style and Firm of Cockerell and Company, the forenoon, Robert Insolvents.

On this day, Saturday, the 18th day of December, It was Ordered, that unless cause be shewn to the contrary, on Friday, the 24th day of December, instant, at the hour of 10 o'Clock in O'Dowda, Esquire, be

appointed \ssignee of the Estate and Effects of the said Insolvents, now vested in Patrick O'Hanlon, Esquire, the Common Assignee of the Court, by force of the adjudication made this day in this matter.

Office of Examiner, 18th December, 1847. Mesers. Grant and Remfrey, Atties

In the matter of William? Woodin, lately carrying on trade and business at Calcutta, as Merchant and Agent, Sadjudged that the under the style and firm of | G. F. Hodgkinson and Com-

On Monday, the 20th day of December, instant, It was Petition of Thomas Seddon

pany. J William Stretiell Kelsall and James Knight Heron, Members of the firm of Messrs. Kelsall and Company, of Calcutta, presented to the Court in this matter, Is true. and that the said William Woodin hath committed au Act of Insolvency under the provisions of the Statute 9th Geo. IV. Cap 73.

In the matter of William Woodin, an Insolvent, lately carrying on trade and business at Calcutta, under the style and firm of G. F. Hodgkinson and Company.

On Monday, the 20th day of December, instant, It was ordered, unless cause be shewn to the contrary, on Fri-

day, the 24th of December, instant, at the hour of 10 o'clock in the forenoon, that Robert O'Dowda, Esquire, be appointed Assignee of the Estate and Effects of the said Insolvent, now vested in Patrick O'Haulon, Esquire, the Common Assignee of the Court, by force of the adjudication made in this matter, on the said 20th day December, instant.

Messrs. Allan and Thomas, Atties.

In the matter of Robert William George Frith, an Insolvent, heretofore trading in Co-partnership at Calcutta, with Henry Frederick Boucher, as Merchants, under the style and firm of Frith and Company. until the 30th day of September 1847, has been

An Account of the Receipts and Disbursements the Assignee of the Estate and Effects of the said Insolvent, from the lat day of May 1846

filed, and may be inspected at the Office of the Chief Clerk.

Messrs. Frith and Sandes, Atties. Office of Examiner, 21st December, 1847.

Sheriff's Office, 11th December, 1847.

NOTICE is hereby given, that a Sessions of Over and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House, in the Town of Calcutta, on Friday, the Seventh day of January next, at 12 o'Clock at Noon.

The Court will open on the First day of the Sessions at 12 o'Clock at Noon, and upon each succeeding day, precisely at 11 o'Clock in the Forenoon, of which all persons are required to take notice.

ADAM FREER SMITH, Sheriff.

निविक व्यक्ति ५५ मिलमुत ४৮८१ मान।

नमागद (म उसा याके एक एवं व्यानामि १ (कान-ওয়ারি ১৮৪৮ দাল ওক্রেবার দুই প্রহরের সময় সহর কলিকাতার ফোট উইলেমের এবং তাহার অস্তঃ পাতি যে সকল স্থান তনিমিন্তে বলদেশের ফোট উইলেমের দৃপ্রেম কোট আপন আদালভ ছরে ওএরটরমিনের এব< এডমিরেলটী অর্থাৎ মহাস্মৃদ্ गञ्जर्कींग प्रकल्मा निकास्ति कना बक (मणीगान অর্থাৎ মিছিল করিবেন্।

এই দেশীয়ান যতকাল পর্যান্ত বসিবেক ভাছার প্রথম দিবৰ দুই প্রহরের সময় তাহার পর প্রতি मिवन अभारता चणात नमस वनिरवक अविषय नकरन यात्र । ताथ्न।

ADAM FREER SMITH, Sheriff.

NOTICE is hereby given, that Jean, alias John De Meiss, a Native of Switzerland, and late of Seetulpore Factory, in the District of Sarun, died on the 23d of November 1847, and that an application has this-day been made by Harold Fitzgerald of Deegah, near Dinapoor, for a Certificate under the Provisions of Act XX. of 1841, styling himself sole Executor to the Will of the deceased. It is accordingly notified, that Monday, the 27th instant, has been fixed for hearing the petition of the said applicant, and of other claimants.

H. V. HATHORN, Judge.

District of Sarun, Chuprah, The 7th of December, 1847.

ADVERTISEMENT.-KIDDERPORE House is open for the reception of Pupils on the same terms with the Children of Subscribers.

For particulars apply to the undersigned.

By order of the General Management,

John McQuern, Secy. M. O. S.

Kidderpore, let November, 1847.

Report showing the smallest depth of Water in the Bhaugiruttee, Jellinghee and Matabangah River 8 on the 15th December 1847.

Names of Rivers.	feet. Smallest depth	of water.	Where Shallowest.
Bhaugirullec River.	feet.	ins.	
At its entrance. Below the entrance, From thence to Jungypore, { From Jungypore to Sadduckbaugh, From Sadduckbaugh to Berhampore, From Berhampore to Cutwa, { And from Cutwa to Nuddeah, Jellinghee River.	9 3 3 3 3 4 4 3 4 4 3	0 6 4 6 0 6 0 6 0 6 0 6	At Futtaypore. " Calloopore. " Sauspore. " Gayespore. " Ahmaneegunge. " Berhampore. " Mojumpore. " Mayleeny. " Mirzapore. " Bahigurrah. " Gopeepore.
At its entrance, From thence to Bausemar- ree, From Bausemarree to Tee- ahkattah, From Teealkattah to Sona- tullah, And from Sonatullah to Moisgunge,	7 6 5 4 4 3 4	0 3 0 6	At Deegulcandy, Above Koobleeah, At Secsah.
Matabangah River. At its entrance, From thence to Haut Boleah, From Haut Boleah to Kat- chikattah, From Katchikattah to Kish- engunge, And from Kishengunge to Scebpore,	7 5 2 2 2 9 4	11 9	At Josoocetullah. " Boleah. " Bhaugherriah. " Ashmancolly. " Sealmarrec. " Kishengunge.

Height of Water on Gange at Berhampore, on the 14th December 1847, + 5 feet 2 inches.

WM M. SMYTH, Capt., Engrs., Supdt. Nuddeah Rivers.

Barraokpore, 20th December, 1847.

* Since last report the Channel of this River at Berhampore has been deepened by the construction of Bandahls from 3 feet to 3 feet 6 inches.

Sheriff's Sole, Calcutta, 22d December, 1847.

NOTICE is hereby given, that on Thursday, the Thirtieth day of December, instant, precisely at the hour of 12 o'clock at noon, the Sheriff of Calcutta will put up to public Sale, at the Lower Verandah of the Court House, near the entrance into the Sheriff's Office, under an order of Court, bearing date the Second day of December, instant, the property which was seized under Writ of Sequestration issued against the Effects of Hurrydoss Mullick,—

1st. The Right, Title, and Interest of the said Hurrydoss Mullick, of, in, and to all that One-third part or Share of, in, and to a certain Upper-roomed Brick-built Messuage, Tenement, or Dwelling House, with a piece or parcel of Land or Ground thereunto belonging, containing, by estimation, One Biggah and Seven Cettahs, more or less, situate, lying, and being at Jorasanko, in the Town of Calcutta, and butted and

bounded, in manner and form following: (that is to say.) on the North side thereof by the House and Premises, the property of, and belonging to Surroopchunder Mullick, and the late Joogul Mullick, on the East side thereof by the House and Premises, the property of, and belonging to the late Choytunchurn Dutt, on the South side thereof, by the House and Premises, the property of, and belonging to Rajkissore Mullick, and on the West side thereof, by the Hon'ble Company's Street, called Ruttoo Sircar's Garden Street.

2d. Also, the Right, Title, and Interest of the said Hurrydoss Mullick, of, in, and to a Lowerroomed Brick-built Godown, with a piece or parcel of Land or Ground thereunto belonging, containing, by estimation. Four Cottahs, more or less, situate, lying, and being at a place called Koyallahputty Road, in Chanuck, and in the Zillah of 24-Pergunnahs, and butted and bounded in manner and form following: (that is to say,) on the West side thereof by a piece of Land, the property of, and belonging to Jaudubchunder Mundul, on the East side thereof by a piece of Land, the property of, and belonging to Bhugoban Ghose, on the South side thereof, by the said Koyallahputty Road, and on the North side thereof, by a House and Premises, the property of, and belonging to Mr. Panaroo.

3d. And also, the Right, Title, and Interest of the said Hurrydoss Mullick, of, in, and to an Upper-roomed Brick-built Messuage, Tenement, or Dwelling House, with a piece or parcel of Land or Ground thereunto belonging, containing, by estimation, Seven Cottahs more or less, situate, lying, and being at a place called Burro Bibee's Durgah Lane, in Sreerampore, in Pergunnah Baro, and in the Zillah of Hooghly, and butted and bounded in manner and form following: (that is to say,) on the East side thereof by the said Burro Bibee's Durgah Lane, on the West side thereof by a House and Premises of, and belonging to Autahram Pundit, on the North side thereof, by a House and Premises of, and belonging to Bindabunchunder Roy, and on the South side thereof by a Lane.

The Conditions of Sale may be known by applying at the Sheriff's Office.

CHAS. Hoge, Sheriff.

No. 120.

Bengal Military Fund.

IN conformity with the 27th and 28th Articles of the Regulations, a General Meeting of the Subscribers of the Military Fund, will be held at the Town Hall, on Thursday, the 27th January, 1848, at 11 o'clock in the forenoon, for the inspection and approval of the Accounts of the Fund, and of the Proceedings of the Directors for the past year, and for the election of Directors for the ensuing year.

R. RAMSAY, Capt.

President.

Culcutta, Mily. Fund Office, 24th Nov. 1847.

NOTICE.—The undersigned has this day commenced business as Merchant and Agent, under the Firm of T. R. Grant and Co.

T. R. GRANT.

Culcutta, No. 1, Church Lane, 18th December, 1847.

Assam Company .- General Meeting of Proprietors. NOTICE is hereby given, that in conformity with the Deed of Settlement, a General Meeting of Proprietors will be held at the Company's Office on Friday the 24th December next, at the hour of 3 o'Clock, in the afternoon, when the Report of the Directors and the Accounts for the past year, will be submitted.

The Accounts will be open for the inspection of Proprietors, on and after the 20th instant.

By order of the Directors,

HENRY BURKINYOUNG.

Hony. \ecy.

No. 1, Barreto's Lane, 13th December, 1847.

India General Steam Navigation Company. THE General Half-yearly Meeting of Proprietors of this Company, will take place at their Office, adjoining the Bonded Warehouse, on Monday, the 17th proximo, at 4 P. M.

The accounts will be open for the inspection of Shareholders on, and after, the 10th proximo.

By order of the Directors,

J. F. HARRISON, Secy.

Calcutta, 14th December, 1847.

No. 756. BANK OF BENGAL RATES.

DISCOUNT.

DISCOUNT				
Private Bills and Notes at or within 3 months,	}		er	Cent
Government Acceptances do.,		6	**	**
INTEREST CHARGED				
On Fixed Loans, not exceeding 3 months, on Deposit of Company's Paper,	}	8	**	"
On Deposit of Opium,	•	9	,,	
On Deposit of Metals and Indigo,		9		"
On Deposit of Ather Goods	,		**	,,
On Deposit of other Goods,		10	**	**
On Accounts of Credit, not exceed- ing 3 months, on Deposit of Com- pany's Paper,	}	8 <u>1</u>	**	,,
On Deposit of Opium,		$9\frac{1}{9}$,,	••
On Deposit of Metals and Indigo,		91	••	"
On Deposit of other Goods,	1	01	"	
On Deposit of other Goods,		V 2	"	"
CHARLES	H	ogg	,	
Secy.	&	Tre	ası	ırer.

THE New Form of "Kindred Roll Return," for Native Regiments, as directed to be used in future, under General Orders May 13, 1847, may be had on application to the Military Orphan Press, Calcutta, at Rupees 6-4 (Six Rupees Four Annas) per 100

Bank of Bengal, Calcutta, 7th December, 1847.

copies.

This day is published (Sept. 25th, 1847) demy 8vo pp. 840, English cloth boards,

ADDISON'S PAPERS

IN THE

SPECTATOR:

Reprinted from the BASKERVILLE EDITION, and preceded by the Rt. Hon. T. B. MACAULAY'S Essay on his LIFE and WRITINGS.

Price English Paper, 4 Ditto Serampore Paper,..... 3 0 0

F. J. MOUAT, M. D.,

Govt. Book Agent.

Govt. Book Agency, Sept. 25, 1847.

This day is Published (Sept. 25, 1847,) Folio Foolscap, pp. 212-Price 10 Rs.

ARTICLES OF WAR,

ENGLISH, PERSIAN AND HINDOSTANEE; THE LATTER IN

The Devunaguree and English Letter.

SECOND EDITION, 1847.

W. RIDSDALE, Supt.

Books Lately Published.

And for Sale at the Bengal Military Orphan Press

HINDUSTANI VERSION of the London Pharmaconomic odit 1820, and

III, Part IX, containing the Circulars issued in 1845,
Demy 4fo.....

CIRCULAR ORDERS, passed by the Courts of Nizamut Adawlut, for the Lower and Western Provinces,
Vol. III, Part VIII, containing the Circulars issued in 1844, Demy 4to,

CIRCULAR ORDERS, passed by the Courts of Sudder Dewanny Adawlut, for the Lower and Western Provinces, Vol. IV, Part II, containing the Circulars issued in 1844, Demy 4to,

CIRCULAR ORDERS, passed by the Court of Sudder Dewanny Adawlut, for the Lower and Western Provinces, Vol. IV, Part I, containing the Circular Orders from 30th December 1842 to 29th December 1843, Demy 4to,

Demy 4to,

Reports of Cases, in the Court of Sudder Dewanny Adawlut, Part IV of Vol. VI, for 1838 and 1839, with Title-page and Index to the principal matters, Royal 8vo.,

Apply to W. RIDSDALE.



SUPPLEMENT TO

The Calcutta Gazette.

Published by Authority.

WEDNESDAY, DECEMBER 22, 1847.

No. 2765 A.

Foreign Department, Soona-mookee Yacht, on the Ganges, off Monghyr, the 2d December, 1847.

Notification - The Right Hon'ble the Governor General of India has much satisfaction in publishing for general information, the annexed Proclamation issued by Maharajah Goolab Sing, in which Suttee, Infanticide and Slavery are prohibited throughout his Territory forming the remotest Hindoo Principality of India.

2. The Governor General has directed his thanks to be conveyed to the Maharaja, as well as to all those Princes, who during the last three years have so cordially entered into the views of the British Government in suppressing these cruel practices; and in publishing their names for the encouragement of others to pursue so wise and merciful a course, he derives the highest gratification from re-flecting that not less than twenty millions of human creatures are affected by these Edicts.

Maharaja of Lahore,

Maharaja of Lahore,
Maharaja of Gwalior,
Nizam of Hyderabad,
Maharaja Benanek Rao,
Maharaja of Jeypore,
Maha Raj Rana of Jhullawur,
Maha Raj Rana of Boondee,
Raja of Pertabghur,
Raja of Chirkaree,
Raja of Surreela,
Raja of Jhansi
Raja of Ooreha,
Raja of Sumpthur,
Raja of Sumpthur,
Raja of Sumpthur,
Raja of Bukeea,
Raja of Baswarrah,
Nawab of Baswarrah,
Nawab of Banda,
Jageerdar of Aleepoor
Jageerd of Coree Futtehpore,
Jageerdar of Coree Futtehpore, Jageerdar of Toree Futtehpore. Jageerdar of Gorchar.

- The Governor General abstains on this occasion from prominently noticing those States in which these barbarous usages are still observed, as he confidently expects at no distant day to hear of the complete renunciation of them in every State in alliance with, or under the protection of the Paramount Power of India.
- From the time that Lord W Bentinck prohibited Suttee within our own Provinces, his successors have used their best endeavours to induce the Native Princes to follow the example of the British Government; and, aided by the zealous exertions of many distinguished Political Agents, these endeavours have been attended with eminent success. It is now their duty not only to continue their exertions, but most vigilantly to prevent the renewal of practices, which it is uni-

versally admitted are no where enjoined by the Hindoo Religion, and are revolting to the best feelings of our nature.

5. Since the conclusion of hostilities on the N. W. Frontier, the influence of our Political Agents has been more successfully exerted than at any previous period, and a strong assurance is thus afforded that the Government of India may rest the stability of its power, not alone on the invincibility and fidelity of its Armies, but on the moral force which must always follow, when the triumphs of war and the extension of British Rule are made conducive to objects of humanity and civilization.

By order of the Right Hon'ble the Governor General of India,

H. M. ELLIOT, Secy. to the Govt. of India. with the Govr. Genl.

Cory.

Abstract Translation of a Proclamation by Maha Raja Golab Sing.

Be it known to all our Officers, Jageerdars, and Subjects, Hindoos and Mussulman, of all trades and castes.

Whereas a Proclamation prohibiting Infanticide, Suttee and Slavery, hateful to God and man, has previously been issued, in order that it may be better known to every one, we hereby for the second time declare Suttee, Slavery and Infanticide unlawful; and any persons convicted of these crimes the whole of their property shall be confiscated, and they themselves be imprisoned.

Let all our subjects assist in making this known to his neighbours.

(True Translation,) (Signed) G. St. P. LAWRENCE. Print. Assist. Resident. (True Copy,) (Signed) H. M. LAWRENCE, Agent and Resident, (True Copy,)

H M. Elliot, Secy. to the Govt. of India, with the Govr. Genl.



The Calcutta Gazette

EXTRAORDINARY.

Published by Authority.

FRIDAY, DECEMBER 24, 1847.

Fort William, Home Department, Legislative, the 18th December, 1847.

The following Act is brought up before the Legislative Council this day, The Governor General of India in Council being desirous that no time should be lost in passing the Act,

Resolved—That the Rules requiring that all Acts of the Governor General of India in Council shall be brought up for second reading in two months or in three months from the date of the first reading be suspended in respect to the following proposed Act, and that it be at once passed into Law.

ACT No. XIX. OF 1847.

An Act to make certain Amendments in the Articles of War for the Government of the Native Officers and Soldiers in the Military Service of the East India Company.

WHEREAS it is expedient to make certain Amendments in the Articles of War provided by Act XX. of 1845, for the Government of the Native Officers and Soldiers in the Military Service of the East India Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers:

- I. It is therefore hereby enacted, that from and after the First day of March 1848, the Articles of War provided by Act XX. of 1845, are repealed.
- II. And it is enacted, that the following Articles of War shall from and after the said day be the Articles of War for the Government of the said Native Officers and Soldiers in the Military Service of the said Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers. Provided always that all crimes and offences committed against the Articles of War provided by Act XX. of 1845 aforesaid may be inquired of and punished in like manner as if they had been committed against the Articles of War hereby provided; and that every Warrant for holding any Court Martial under the Articles of War provided by the Act XX. of 1845 aforesaid shall remain in full force notwithstanding the repeal of such Articles; and that all proceedings of any Court Martial upon any trial begun under such Articles, shall not be discensisued by the repeal of the same.

ARTICLES OF WAR.

SECTION I.

Of Inlisting and Discharges.

ARTICLE 1.

Every Recruit, prior to bring enrolled in his Regiment, shall have the First Four Articles of the Second Section of these Articles of War read and explained to him, and when reported fit for duty in the ranks, such Declaration as is now used, if any, in the respective Presidencies, shall be made to him by the Officer Commanding, in front of the Regiment or Corps, in pressure of the Native Officers and Soldiers, and an oath or declaration shall then be required from nim, according to the forms of his religion, such oath and declaration to be the like as are now used in the respective Presidencies.

* ARTICLE 2.

No Commissioned Officer shall be dismissed except by the Sentence of a General Court Martial. No Non-Commissioned Officer or Soldier shall be discharged as a punishment except by the Sentence of a Court Martial, or by order of the Commander in Chief at the Presidency to which he may belong. Every such dismissal or discharge shall include forfeiture of all claim to pension. Provided also, that the Governor General in Council in his executive capacity, and the Governor in Council of any Presidency to which a Commissioned or Non-Commissioned Officer or Soldier may belong, shall have power to order his dismissal or discharge.

ARTICLE 8.

All Non-Commissioned Officers and Soldiers discharged the Service, shall be furnished by the Commanding Officer of the Regiment with a Descharge Certificate, made out in the Vernacular Language of the individual discharged, with an English Translation, expressing the authority for, and cause of, such discharge, and the period of his entire Service in the Army.

* ARTICLE 4.

No Non-Commissioned Officer or Soldier shall enlist himself in any other Regiment without a regular discharge from his former Regiment, under the penalty of being reputed a Deserter, and suffering accordingly.

SECTION II.

Crimes and Punishment.

Crimes punishable with death, transportation, corporal punishment, imprisonment, or dismissal.

ARTICLE 5.

Any Officer, or Soldier, who shall begin, excite, cause, or join in any Mutiny or Sedition in the Regiment or Corps to which he belongs, or in any other Corps or Regiment whatsoever, on any pretence whatever; or who, being present at any Mutiny or Sedition, shall not use his utmost endeavours to suppress it; or who, coming to the knowledge of any Mutiny, intended Mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer; —— or

ARTICLE 6.

Who shall strike his Superior Officer, or shall draw or offer to draw, or lift up any weapon, or use or offer any violence, against him; whether on or off duty, and under all circumstances in which his Superior Officer may be distinguishable as such in any manner; ---- or

ARTICLE 7.

Who shall disobey any lawful Command of his Superior Officer; --

Who shall desert from the East India Company's Service, (whether or not he shall re-enter or reenlist in the same;)--or

ARTICLE 9.

Who, being a Sentry, in time of War or alarm, shall sleep upon his post; or shall leave it before regularly relieved, or without leave; or shall plunder or injure the property placed under his charge :--or

ARTICLE 10.

Who shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard, commuted to his charge, or which it was his duty to defend; or who shall use means to induce any other Officer or Soldier so to abandon or deliver up any such Garrison, Fortress, Post, or Guard;

ARTICLE 11.

Who shall treacherously make known the watchword to any person not entitled to receive it, according to the Rules and Discipline of War;

ARTICLE 12.

Who shall hold correspondence with or give intelligence to the Enemy, or any person in arms against the State, either directly or indirectly; or who, coming to the knowledge of such correspondence or communication, shall not discover it immediately to the Commanding Officer;-

ARTICLE 13.

Who shall directly or indirectly assist or relieve the Enemy, or Persons in arms against the State, with money, victuals, or ammunition; or shall knowingly harbour or protect any Enemy or Person in arms against the State;--Or

ARTICLE 14

Who shall treacherously release, wilfully aid, or connive at the escape of any Enemy or Person in arms against the State, placed as a Prisoner under his charge ;--or

ARTICLE 15.
Who shall misbehave himself before the Enemy, or persons in arms against whom he is led, or use means to induce others so to misbehave ;-

ARTICLE 16.

Who shall in presence of an Enemy, or of persons in arms against whom he is led, shamefully cast away his arms or ammunition ;-

ARTICLE 17.

Who shall leave his Commanding Officer, or his Post, or Colours, or Party, in time of action, to go in search of Plunder ;---

ARTICLE 18.

Who, in time of War, shall do violence to any person bringing provisions or other necessaries to the Camp or Quarters of the Forces; or shall force a Safeguard; or break into any house, or other place for plunder; or plunder fields, or gardens, or other property; -----01

ARTICLE 19.
Who, in time of War, shall, by discharging fire arms, drawing swords, beating drums, making signals, using words, or by any means whatever, intentionally occasion false alarms, in Action, Camp, Garrison, or Quarters ;-

ARTICLE 20.

Who shall, without proper authority, release any State Prisoner, or through carelessness or neglect shall suffer any such Prisoner to escape; or shall connive at the plunder or injury of pro-perty in time of War, or the plunder or injury of Treasure, or of a Magazine, or Dock Yard, by the Sentry or Guard in whose charge such property, or Treasure, or Magazine, or Dock Yard is placed;

ARTICLE 21.

Who, being a Sentry placed over any State Prisoner, or over Treasure, or over a Magazine, or Dock Yard, shall quit his Post without being regularly relieved, or without leave; or shall sleep upon his Post; or shall plunder or injure the property placed under his charge;
Shall, if an Officer, on conviction, suffer Death,

or Transportation for life, or be Dismissed the

Service;

And, if a Soldier, shall, on conviction, suffer Death or Transportation for life; or Imprisonment with or without hard labour, for life or for any term of years; and with or without solitary confinement for any portion or portions of the term of imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement of not less duration than such periods of solitary confinement; or shall suffer Corporal Punishment; or Dismissal from the Service; as by a General Court Martial shall be awarded. Provided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martial, or by order of his Commanding Officer.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General or District Court Martial with Dismissal, Reduction, Corporal Punishment, or simple Imprisonment with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 22.

Any Officer or Soldier who shall in operations in the field, spread reports by words or letters calculated to create unnecessary alarm in the Troops, or in the vicinity, or in rear of the Army;-

ARTICLE 28.

Who shall, in Action or previously to going into Action, use words tending to create Alarm of Despondency; or

ARTICLE 24.

Who shall be drunk when on, or for duty, or on Parade, or on the Line of March; ---- or

ARTICLE 25.

Who shall strike or force any Sentry; ---- or ARTICLE 26.

Any Soldier who shall be grossly insubordinate or insolent to his Superior Officer in the execution of his office; or grossly insubordinate and violent in the presence of a Court Martial; -

ARTICLE 27.

Who, being on actual Service, shall refuse to assist in making field works;

Shall, if an Officer, on conviction, be Sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction, before a General, or District, or Garrison Court Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Provided, that such Offender shall not be Sentenced to Death, or Transportation, or Imprisonment with hard labour.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General, or District Court Martial, with Dismissal, Reduction, Imprisonment with or without hard labour, and with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 28.

Any Officer who shall behave in a manner unbecoming the character of an Officer; (the fact or tacts whereon the charge is grounded being clearly specified therein;)-

ARTICLE 29.

Any Officer or Soldier who shall advise or persuade any other Officer or Soldier to desert, or who shall connive at such desertion; or who shall knowingly receive and entertain any Deserter, and shall not immediately on discovery give notice to his Superior Officer; or shall not cause such Deserter to be apprehended by the Civil Power;-

ARTICLE 30.

Who shall obtain or attempt to obtain for him-self, or for any Officer or Soldier, or for any other person whatsoever, any Pension er Allowance, by any false Statement, Certificate, or Document, or by the omission of the true Statement, or Certificate, or Document ;-- or

ARTICLE 31.

Who shall knowingly make a false Return or Report, to any his Superior Officer authorized to call for a Return or Report, of the state of the men under his Command, or of Arms, Ammunition, Clothing, or other Stores thereunto belonging, or of which he may have charge; ---- or

ARTICLE 32.

Who, at any post, or on the march, shall illegally and against the will of the parties extort money or property of any description, as fees or duties, or on any pretence whatever; or shall, without authority, exact from Villagers or others, carriage, porterage, or provisions; - or

ARTICLE 38.

Who shall wantonly and intentionally defile any place dedicated to religious worship, or shall wantenly and intentionally insult the religious prejudices of other persons;

Shall, if an Officer, on conviction, be sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction before a General, District, or Garrison Court Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Provided, that such Offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by any Court Martial with Dismissal, Reduction, Imprisonment with or without hard labour, and with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 34.

Any Officer or Soldier, who, being under arrest or in confinement, shall leave his arrest or confinement before he is set at liberty by competent authority; -- or

ARTICLE 35.

Who shall malinger, feign or intentionally produce disease or infirmity; or intentionally delay his cure; or intentionally aggravate his disease or infirmity; ---- or

ARTICLE 36.

Who shall, without orders, commit any waste, or spoil, or plunder, or shall injure or destroy any property;

ARTICLE 37.

Any Soldier who shall, contrary to orders, when off duty, appear in or about Camp or Cantonnents, or on occasion of visiting Towns or Bazars, carrying a Sword, Bludgeon, or other Weapon; --- or

ARTICLE 38.

Who shall sell, pawn, or designedly or through neglect lose or injure his Horse, Arms, Clothes, Accoutrements or Regimental Necessaries; or any of the above Articles entrusted or belonging to any other Soldier;

Shall, on conviction before a General, District, or Garrison, or Regimental Court Martial, be sentenced to suffer such punishment as such Courts Martial respectively are by these Articles of War empowered to award.

Provided that such offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Embezzlement; punishable by General Court Martial with Dismissal, Fine, and Imprisonment with or without hard labour, and with or without solitary confinement, of Officers and Soldiers.

ARTICLE 39.

Any Officer, or Soldier, who shall embezzle or fraudulently misapply any money entrusted to him on the public account, or for any Military purpose; or any Provisions, Forage, Arms, Clothing, Ammunition, or Military Stores, of whatever kind or description, the property of Government, entrusted to his charge; or who shall wilfully spoil such property, or suffer it to be spoiled, or shall be concerned in or connive at any such embezzlement or fraudulent misapplication;

Shall, on conviction before a General Court Martial, be Dismissed the Service, and fined to the extent of his arrears of Pay and Altowances; and be further liable to suffer imprisonment with

or without hard labour for a term which may extend to three years, and with or without solitary confinement (to be regulated as aforesaid.)

Disgraceful Conduct; punishable by General or District Court Martial, with Corporal Punishment, or Imprisonment with or without hard labour and solitary confinement, and in addition with forfeiture of additional Pay and of Pension on discharge, and stoppages, of Non-Commissioned Officers and Soldiers.

ARTICLE 40.

Any Soldier who shall be guilty of disgraceful conduct;

In wilfully maining or injuring himself, or any other Soldier at the instance of such Soldier, with intent to render himself or such Soldier unfit for the Service, or with intent to take his own life;

or

ARTICLE 41.

In purloining or selling Government Stores;

ARTICLE 42.

In stealing money or goods, the property of a Soldier, or of a Military Officer, or of any Military Mess, or of any person or persons belonging to or serving with or attached to the Army;

ARTICLE 43.

In plundering or injuring property placed under his charge as Sentry, or in charge of his Guard, or in conniving at the plunder or injury of such property; —— or

ARTICLE 44.

In embezzling or fraudulently misapplying public money entrusted to him for any Military purpose; —— or

ARTICLE 45.

In committing any petty offence of a fraudulent or dishonest nature, to the injury of or with intent to injure the Government, or any person, Civil or Military;—— or

ARTICLE 46.

Who shall be guilty of any other disgraceful conduct, being of a cruel, indecent, or unnatural kind;

Shall, on conviction before a General, or District, or Garrison Court Martial, be liable to suffer such punishments as any such Courts are by these Articles of War respectively empowered to award for disgraceful conduct.

And every such offender shall, if not dismissed the service, further be put under stoppages, by sentence of the Court, not exceeding half of his mouthly Pay and Allowances; until the amount be made good of any loss or damage arising out of his misconduct.

And if such offender shall be Dismissed the Service, he shall further be sentenced to forfeit his arrears of Pay and Allowances due at the time of his discharge, or in such proportion as may be required to make good such loss or damage.

Crimes punishable by General Court Martial with Suspension or Reprimand of Officers, or by any Court Martial with Dismissal, Reduction, or Simple Imprisonment with or without solitary confinement, on Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 47.

Any Officer, or Non-Commissioned Officer who shall strike or otherwise ill-treat any Soldier;

ARTICLE 48.

Any Sentry who, in time of peace shall sleep upon his Post; or shall leave it before regularly relieved or without leave;—or

ARTICLE 49.

Any Officer, or Soldier, who shall knowingly enlist a Deserter, or connive at his enlistment;

ARTICLE 50.

Who, directly or indirectly, shall require or accept a bribe, present, or gratification, on the pretence of, or as a consideration for procuring leave of absence, promotion, or any other advantage or indulgence for any Officer or Soldier;

ARTICLE 51.

Who, being in Command at any Post, or on the march, on complaint made to him of any person under his command beating or otherwise ill-treating any person; or extorting from him more than he is obliged to furnish by authority, or disturbing fairs or markets, or committing any kind of riot; shall not see reparation done to the party or parties injured; or, if that be impracticable, shall not report the same to his Superior Officer;—or

ARTICLE 52.

Who, being in Command of a Guard, shall refuse to receive any Prisoner duly committed to his charge; or shall without proper authority release any prisoner, or shall suffer, through carelessness or neglect, any prisoner to escape;—or

ARTICLE 53.

Who shall quit his Guard, or Picquet, in time of peace, without being regularly relieved, or without leave;——or

ARTICLE 54.

Who shall impede the Provost Marshal, or his Assistants, or any other Officer or person legally exercising authority;—or refuse to assist him when requiring his aid in the execution of his duty;—or

ARTICLE 55.

Who, being on leave of absence, shall have received information from the Head Quarters of his Regiment, or from other competent authority, that his Regiment has been ordered on service, and shall not rejoin without delay;—or

ARTICLE 56.

Who, in time of peace, shall, by discharging fire arms, drawing swords, beating drums, or by any other means whatever, intentionally occasion false alarms in Camp, Garrison, or Cantonments;

ARTICLE 57.

Who shall fail to repair at the time fixed to the parade, or place appointed, for exercise or duty, if not prevented by sickness or some other sufficient cause;—or

ARTICLE 58.

Who shall, without urgent necessity, or without leave of his Superior Officer, quit his Company, or Troop, or the Parade;——or

Auticle 59.

Who shall absent himself without leave; or shall, without sufficient cause, overstay the period for which leave may have been granted him;—or

ARTICLE '60.

Any Soldier who shall be found two miles from the Camp contrary to orders ;——or

ARTICLE 61.

Who shall, contrary to orders, be absent from his Cantonment after tatoo, or from Camp after retreat beating;—or

ARTICLE 62.

Who shall sell, lose, or designedly, or through neglect, waste the ammunition delivered out to him;

Shall, if an Officer, on conviction, he sentenced to Suspension from Rank and Pay and Allowances; or to be Reprimanded in such manner as the Commander in Chief may direct;

And, if a Soldier, shall, on conviction before a General, or District, or Garrison. or Regimental Court Martial, be sentenced to suffer such punishment as any such Courts Martial are by these Articles of War respectively empowered to award;

Provided that such offender shall not be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

Auricle 63

All crimes not capital, and all disorders or neglects which Officers or Soldiers may be guilty of, to the prejudice of good order and Military discipline, though not specified in these Articles, are to be taken cognizance of by Courts Martial, and to be punished according to the nature and degree of the offence, by the Sentence of a General, or District, or Garrison, or Regimental Court Martial; provided that a Soldier shall not for any such offences be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

Crimes incident to Courts Martial; punishable by General Court Martial with Dismissal or Suspension of Officers, and by any Court Martial with Dismissal or Reduction of Non-Commissioned Officers, and with Dismissal or Simple Imprisonment of Soldiers.

ARTICLE 64.

Any person amenable to these Articles of War, who, when duly summoned before a Court Martial, shall not attend, or shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or who shall induce any other person so to offend;

Shall be punished according to the Sentence of the same or another Court Martial, with Dismissal, or Suspension from Rank and Pay and Allowances, if a Commissioned Officer; with Dismissal, or Reduction to the ranks, if a Non-Commissioned Officer; or with Dismissal, or Imprisonment, if a Soldier:

Provided that such person, being a Commissioned Officer, shall not be liable to be punished by any but a General Court Martial; and that no offender punished under the provision of this Article of War shall be sentenced to suffer Imprisonment with hard labour, or Corporal Pupishment.

ARTICLE 65.

Any person not amenable to these Articles of War, who, having been summoned before any Court Martial, shall refuse or neglect to attend; or who, attending, shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or shall give such testimony as, if given in a Criminal Court, would render him guilty of perjury; or who shall induce any other person so to offend;

Shall be delivered to a Magistrate to be proceeded against according to law.

ARTICLE 66:

Any person using menacing or disrespectful words, signs, or gestures, in the presence of a Court Martial then sitting, or causing any disorder or riot so as to disturb their proceedings;

Shall be punished according to the condition of the offender and the nature and degree of his offence, by the Sentence of the same or another Court Martial, if he be amenable to these Articles of War; provided that such offender shall not be liable to be sentenced to Corporal Punishment or to Imprisonment with hard labour; and if not amenable to these Articles of War, the offender shall be delivered over to a Magistrate to be proceeded against according to law.

Perjury; punishable by General or District Court Martial with Dismissel, and in addition with Fine, or simple Imprisonment, of Officers and Soldiers.

ARTICLE 67.

Any Officer, or Soldier, who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any General, or other Court Martial, or any Military Court entitled to administer an oath; or of inducing any other person so to offend;

Shall be Dismissed the Service, and shall be further subject to Fine to the amount of his arrears of Pay and Allowances, or to Imprisonment which may extend to three years;—according to the Sentence of a General, or District, or Garrison Court Martial.

Crimes admitting of less serious notice.

ARTICLE 68.

Whereas it may be advisable that some of the offences which by the foregoing Articles are directed to be tried by a General, or District, or Garrison Court Martial, should, in certain cases which admit of less serious notice, be tried by District, or Garrison, or Regimental Courts Martial-in such cases the Officer Commanding the Regiment or Corps to which the offender belongs may, if he thinks it expedient and for the good of the Service, order the offender to be tried by Regimental Court Martial, for any offence ordinarily cognizable by District, or Garrison Court Martial; making however a report in every such case, for the information of the General Officer Commanding the Division, of the reasons of his having so proceeded: or such Commanding Officer may lay a particular statement of the case before the General or other Officer having authority to convene General, or District, or Garrison Courts Martial, under whose command such offender may be serving, with an application for permission to try the offender by District, or Garrison, or Regimental Court Martial; and such General or other Officer will exercise his discretion in complying or not with such application; but the permission of such General other Officer so to proceed, shall be entered upon the proceedings at the trial of such offender.

Provided that MUTINY shall not be considered one of the offences admitting of such discretionary investigation.

And that in cases where offences designated "Disgraceful Conduct" in these Articles of War, and admitting of less serious notice, shall be tried by Regimental Courts Martial, the term "Disgraceful Conduct" shall be omitted in the Charge; and the offender shall on conviction be liable to

suffer such puni-liment as a Regimental Court Martial is by these Articles of War empowered to award.

Offences on the Line of March or on board Vessels
ARTICLE 69.

For offences committed on the Line of March, or on board any Ship or other Vessel, the Officer in Command of the Troops is hereby authorized to try any Soldier by a Regimental, or Detachment Court Martial, and to confirm and execute the Sentence on the spot;

Provided that such Sentence shall in no case exceed that which a Regimental Court Martial is competent to award;—and that the proceedings held in all such cases shall be transmitted for the information of the Commander in Chief.

SECTION III.

Administration of Justice.
Articly 70.

Whenever any Officer or Soldier shall commit a crime deserving punishment by Court Martial, he shall, by his Commanding Officer, be put under arrest, if an Officer or Non-Commissioned Officer; or if a Soldier, be confined; until he shall be either tried by a Court Martial, or shall be lawfully discharged by a proper authority; and no Officer or Soldier who shall be put in such arrest or confinement shall continue in his confinement longer than may be actually unavoidable.

And such process of arrest or confinement, or an attempt to effect such process, shall in no case be omitted where it may be practicable;—but where resistance may be made, or from other circumstances such process may be impracticable, the offender or offenders shall be liable to trial and punishment at any subsequent period, within the limitations provided in these Articles of War.

ARTICLE 71.

No person shall be liable to be tried or punished for any offence against these Articles, which shall appear to have been committed more than three years previous to the order directing the assembly of the Court Martial whereby he is to be tried, unless the person accused, by reason of his absenting himself, or some other manifest impediment, shall not have been amenable to justice within that period; in which case such person shall be liable to be tried, at any time not exceeding two years after the impediment shall have ceased.

ARTICLE 72.

Any person amenable to these Articles of War, who may commit any offence against the same, may be tried and punished for such offence in any place within the British Territories, or elsewhere, where he may have come after the commission of the offence, in the same manner as if the offence had been committed where such trial shall take place.

ARTICLE 73.

The Commander in Chief at the Presidencies of Fort William, Fort Saint George, and Bombay respectively for the time being, may appoint General or other Courts Martial, and confirm, and mitigate or commute, or remit the Sentences of such Courts; and may issue his Warrant to any General or other Officer having the Command of a Body of Troops in the service of Her Majesty, or of the East India Company, empowering such

Officer to app int General, or District, or Garrison Courts Martial as occasion may require, for the trial of offences committed by any of the Officers, or So diers, or Followers in the service of the said Company, being Natives of the East Indies, or of other places within the limits of the said Company's Charter, and to confirm, and mitigate or commute, or remit the sentences of such Courts Martial.

ARTICLE 74.

A General Court Martial shall not consist of less than thirteen Commissioned Officers, unless it be held out of the East India Company's Territories, where such Court Martial may consist of seven Commissioned Officers, if a greater number cannot be conveniently assembled. And no sentence of a General Court Martial shall be put in execution until after a report shall have been made of the whole proceedings to the Commander in Chief, or to some other person duly authorized to confirm the same, and until his directions shall have been signified thereupon.

Powers of a General Court Martial. * Arricle 75.

A General Court Martial may sentence any Officer or Soldier to Death or Transportation, for any crimes which are by these Articles of War expressly made hable to sentence of Death or Transportation, and for such crimes only.

And when a Commissioned Officer shall be convicted of any offence, of which the punishment is not defined in these Articles of War, or is left discretionary, a General Court Martial may adjudge such Officer to be Dismissed the service;—or to be Suspended from Rank and Pay and Allowances, for a stated period;—or to be Placed lower on the list of his rank, by an alteration of the date of his Commission, thereby losing the corresponding benefit of length of service; and the Court shall in every such sentence specify the extent or degree of Suspension or Reduction, which they shall so adjudge;—or the Court may sentence such Officer to be Reprimanded in such manner as the Commander in Chief may direct.

And a General Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks; -- or may sentence any Non-Com-missioned Officer or Soldier to be Dismissed the service; -or to be Placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,) or may sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; -or Imprisonment with or without hard labour not exceeding two years; -and to be kept in solitary confinement for any portion or portions of such Imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods. of solitary confinement, of not less duration than such periods of solitary confinement. Provided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martial, or by order of his Commanding Officer.

And a General Court Martial may, in addition either to Corporal Punishment, or to Imprisonment, as aforesaid, sentence a Soldier to Forfeiture of all advantage as to additional Pay and to Pension on discharge, which might have otherwise accrued from the length or nature of his former service; or to Forfeiture of such advantage abso-

lutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And a General Court Martial may, in addition to the punishment of Dismissal, sentence any Officer or Soldier to forfeit his arrears of Pay and Allowarces due at the time of his discharge, or such proportion thereof as may be required, to make good any loss or damage arising out of his misconduct;—And, in addition to any punishment not involving Dismissal from the service, may sentence any Officer or Soldier to be put under Stoppages not exceeding two-thirds of his Pay and Allowances in the case of an Officer, and not exceeding half of his Pay and Allowances in the case of a Non-Commissioned Officer or Soldier, until the amount of such loss or damage be made good.

Confirmation and Commutation of Sentence by the Communder in Chief.

ARTICLE 76.

In cases wherein a Sentence of Death shall have been awarded by a General Court Martial, for any offence against discipline for which sentence of Death is awardable under these Articles of War, the Commander in Chief may confirm such Sentence and cause it to be carried into effect, or may, instead of causing such Sentence to be carried into effect, order the offender, if an Officer, to be Transported for life, or to be Imprisoned for any term of years, or to be Dismissed; and, if a Soldier, to be Transported for life, or to be Imprisoned with or without Hard Labour either for life, or for a certain term of years, and with or without solitary confinement, (to be regulated as aforesaid,) as to the Commander in Chief may seem meet.

In cases of Commissioned Officers Sentenced to Transportation, the Commander in Chief may in lieu thereof order the offender to be imprisoned for any term of years, or to be Dismissed And in cases of Commissioned Officers Sentenced to be Dismissed from the service, the Commander in Chief may, in lieu of such Punishment, direct, that the offender be Suspended from Rank and Pay and Allowances for a certain period, to be distinctly specified by the Commander in Chief.

And the Commander in Chief may commute a Sentence of Transportation passed on a Soldier, to Imprisonment with or without Hard Labour, and with or without Solitary Confinement (to be regulated as aforesaid); and such Imprisonment may be either for the same period for which Transportation shall have been awarded, or for any lesser period.

And the Commander in Chief may commute a Sentence of Carporal Punishment to Dismissal from the service; or, in the case of a Non-Commissioned Officer may mitigate such Sentence to Reduction to the ranks; or in the case of a Non-Commissioned Officer or Soldier may commute such Sentence to Imprisonment without Hard Labour, and with or without Solitary Confinement (to be regulated as aforesaid,) for any period not exceeding two years.

In cases of Non-Commissioned Officers Sentenced to be Dismissed from the service, the Commander in Chief may, in lieu of such punishment, direct that the offender be Reduced to the

ranks, or placed lower in the list of the rank which he holds; (which shall not involve any forfeiture of service or other advantage, except that of standing.)

And in cases of offenders Sentenced to Imprisonment with Hard Labour, the Commander in Chief may mitigate such Sentence by causing the offender to be Reduced to the ranks, in the case of a Non-Commissioned Officer; or in the case of a Non-Commissioned Officer or Soldier by directing that he be Dismissed from the service; or suffer Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid.) for any period not exceeding that for which he shall have been Sentenced to such Imprisonment with Hard Labour.

ARTICLE 77.

A District, or Garrison Court Martial shall consist of not less than Seven Commissioned Officers, except in situations where that number cannot be conveniently assembled, when such Court may consist of not less than Five Commissioned Officers. And such District, or Garrison Court Martial may be composed of Officers of the same Regiment, and shall be assembled in conformity with the orders of the Commander in Chief.

And the Sentence of a District, or Garrison Court Martial shall be confirmed by the Commander in Chief, or by some Officer duly authorized to confirm the same.

Commutation of Sentence.

And the Commander in Chief is empowered to result, or mitigate, or commute the Sentences of such Courts Martial, in the same manner as the Sentences of General Courts Martial; and to delegate to or withhold from Commanding Officers the power of convening such Courts Martial, and of confirming, remitting, mitigating, or commuting the Sentences of such Courts (not including forfeiture of pay or pension or other advantage), as the Commander in Chief may deem to be most expedient.

And in case of any Sentence, including forfeiture of additional Pay or of Pension on Discharge, or of any prospective advantage, such Sentence shall not be carried into effect until confirmed by the Commander in Chief; and all forfeitures of any present or prospective advantage shall be restorable by the same authority.

Powers of a District or Garrison Court Martial. * ARTICLE 78.

A District or Garrison Court Martial may Sentence any Non-Commissioned Officer to be Reduced to the ranks,—or may Sentence any Non-Commissioned Officer or Soldier to be Dismissed from the Service; or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing;) or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment with or without Hard Labour not exceeding one year, and to be kept in Solitary Confinement (to be regulated as aforesaid.)

And such Court Martial may, in addition either to Corporal Punishment or to Imprisonment as aforesaid, Sentence a Soldier to forfeiture of all advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued

from the length or nature of his former service, or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages not exceeding half of his Pay and Allowances, until the amount of such loss or damage be made good.

ARTICLE 79..

A Regimental Court Martial shall consist of not less than Five Commissioned Officers, (unless it be found impracticable to assemble that number, when Three may be sufficient:) and shall be assembled by order of the Officer Commanding the Regiment. And no Sentence of a Regimental Court Martial shall be of force until the Commanding Officer shall have confirmed the same. Provided that such Commanding Officer shall have power to remit all Sentences whatever passed by such Court, and thereupon to cause the offender to be released and to return to his duty.

Commutation of Sentence.

And such Commanding Officer shall have power to confirm and carry into effect or to mitigate all Sentences whatever passed by such Court; and to commute a Sentence of Curporal Punishment to Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid,) for any period for which such Court is competent to Sentence an offender to suffer Imprisonment and in the same manner; and to mitigate a Sentence of Dismissal in the case of a Non-Commissioned Officer, to Reduction to the Ranks;—and to commute a Sentence of Imprisonment with Hard Labour, to Dismissal; or to mitigate such Sentence to Reduction to the Ranks; or to Imprisonment without Hard Labour.

Powers of a Regimental Court Martial. * ARTICLE 80.

A Regimental Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks;—or may sentence any Non-Commissioned Officer or Soldier to be dismissed from the service;—or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,)—or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment, with or without hard labour, for any period not exceeding six calendar months; and to be kept in solitary confinement (to be regulated as aforesaid.)

Any such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages net

exceeding half of his Pay and Allowances, until the amount of such loss or damage be made good.

ARTICLE 81.

An Officer Commanding any Detachment of his own Regiment, may assemble Regimental Detachment Courts Martial;—and an Officer Commanding a Detachment consisting of men of different Corps, may assemble Detachment or Line Courts Martial;—and all such Courts shall be constituted in the same manner as Regimental Courts Martial under the provisions of these Articles of War, and shall have the like powers.

And the provisions of these Articles of War relating to Courts Martial held in Regiments, shall be taken to apply to Courts Martial held in Detachments, in all practicable cases.

Provided that no Officer on detached Command of less than four Troops or Companies, or of Detachments numerically equal to four Troops or C mpanies, and not being on the line of march or on board any ship or other vessel, shall carry into effect any punishment awarded by a Court Martial held by his order, until the Sentence shall have been confirmed by the Officer Commanding the Regiment to which the offender belongs, or by the nearest Superior Officer holding a Command of not less than a Regiment ;- (who is hereby authorized to confirm the same, in like manner, as an Officer Commanding a Regiment is empowered to do;)--Except in detached situations beyond Sea or out of the British Territories, or when on Service in the field, or in cases where an immediate example is necessary and reference cannot be made to such Commanding or Superior Officer without detriment to the Service; when the Officer Commanding such Detachment may exercise the powers which are vested in an Officer Commanding a Regiment.

ARTICLE 82.

At all Courts Martial, it shall be competent to the Officer convening the Court to instruct the Court, that, should the Prisoner be found guilty, and Imprisonment form a part of the Sentence, no portion of the Imprisonment should be Solitary;—or, should Corporal Punishment be awardable to the offender, that it shall not be awarded in the particular case; and the Court will govern itself accordingly; and such instruction shall be in writing, and shall be attached to the proceedings of the Court.

Execution of Sentences of Courts Martial. ARTICLE 83.

In every sentence of Death awarded by a General Court Martial, the Court shall specify that the offender shall "suffer death by being hanged by the neck until he be dead," or "by being shot to death," as the Court in their discretion shall deem expedient; and such sentence, if confirmed, shall be carried into effect accordingly.

ARTICLE 84.

Whenever the sentence of a General Court Martial shall adjudge Transportation, or sentence of Death shall be commuted by competent authority to Transportation, any of the Sudder Courts shall give effect to such sentence, or commuted sentence, on the same being certified to the Court under the authority of the Commander in Chief.

And whenever any sentence of a Court Martial shall adjudge Imprisonment with hard labour, or with Solitary confinement, or both, or whenever the sentence of a Court Martial shall be commuted

to any such Imprisonment, it shall be the duty of every Judge, Magistrate, Sheriff, or other Officer in charge of a Jail, to give effect to such sentence, on the offender being delivered into his custody, and on being furnished with a copy of the sentence by the Officer Commanding the Station or Regiment or Detacament, within which the trial is held.

ARTICLE 85.

Whenever any Soldier shall be sentenced to Imprisonment for life, or a sentence of Death shall be commuted to Imprisonment for life, it shall be lawful for the Commander in Chief to order such offender to be Transported beyond sea for life, and such order shall thereupon be made, unless there should be special reasons inducing the Commander in Chief to think such prisoner not a proper subject for Transportation.

ARTICLE 86.

Persons sentenced to Imprisonment by Courts Martial shall be imprisoned in any public prison or in any other fit place which the Commander in Chief shall from time to time direct.

ARTICLE 87.

Every Soldier sentenced to Imprisonment with hard labour, shall, previous to undergoing such punishment, be struck off the strength of his Corps from the date of confirmation of such sentence; and no Soldier who has undergone such punishment for any period shall be capable of being re-admitted in the ranks, or of receiving pension on discharge.

ARTICLE 88.

Offenders sentenced to Dismissal for disgraceful conduct;

And offenders subject to Corporal Punishment, or to Imprisonment with hard labour for disgraceful conduct shall, on any such sentence being confirmed, be Dismissed with Ignominy.

ARTICLE 89.

In every case wherein a fine, or forfeiture of arrears of pay, or stoppages shall be adjudged by a Court Martial, any pay or public money due to the offender, or that may become due to him, shall be available, with the sanction of the Commander in Chief, for the payment of the amount so adjudged.

And no Soldier sentenced to pay a fine or to stoppages to make good any loss or damage arising out of his misconduct, shall be continued under forfeiture or stoppages under any one such sentence for any period exceeding one year; and no Soldier shall be at any one time placed under forfeiture or stoppages exceeding in the whole the amount of half of his Pay and Allowances, nor be liable to be put under stoppages prospectively while actually under stoppages to the amount of half of his Pay and Allowances.

Forms of Proceeding. ARTICLE 90.

Trials by Courts Martial may be carried on between the hours of six in the morning and four in the afternoon, and not otherwise, except in cases which may require an immediate example.

ARTICLE 91.

At General Courts Martial a Judge Advocate, or an European Officer of not less than ten years service, shall be appointed to conduct the proceedings.

At all Courts Martial inferior to General, an European Officer of not less than four years

standing in the service, except in cases where no Officer of that standing may be available, or the Adjutant of the Regiment, shall be appointed to conduct the proceedings.

ARTICLE 92.

An Interpreter shall be appointed to all Courts Martial; and any Interpreter or other competent person available at the Station where the Court Martial may sit shall be appointed as occasion may require by the Officer Commanding at such Station, on application from the Judge Advocate or Superintending Officer at such Court Martial. But in situations where the services of an Interpreter or other competent person are not available, the Superintending Officer at the Court Martial shall perform the duty of Interpreter.

ARTICLE 93.

At all Courts Martial the Senior Officer shall sit as President without being so appointed by Warrant. Provided that all Subadar Majors are to take precedence according to the dates of their Commissions, and above all Native Officers holding the rank of Subadar or Jemadar; and that Sirdar Bahadoors and Bahadoors shall rank only according to their respective Commissions of Subadar Major, Subadar, or Jemadar. Rissaldars and Rissaldars will take rank with Subadars, and Naib Rissaldars with Jemadars, according to the dates of their respective Commissions.

In case of the death or unavoidable absence of the President, the next Senior Member shall take the place of President, and the trial shall proceed, provided that the Court shall still consist of at least the number of Members of which such Court is directed to consist by these Articles of War.

ARTICLE 94.

No Finding or Sentence of a Court Martial shall be revised more than once, and no Evidence shall be received on such revision. For the purpose of such revision the President and all the Members shall be convened if possible. But if any of them should be unavoidably absent, the remaining Members may proceed with such revision, provided they are not fewer than the smallest number directed in these Articles respectively. When all the same Members do not meet, the circumstances are to be duly certified on the face of the proceedings.

Manner of Voting.

ARTICLE 95.

All the Members of a Court Martial are to preserve order, and in giving their votes upon all matters are to begin with the youngest; and in all cases where a sentence of death may not be awarded, the decision shall be by the majority of Members present, provided the number of Members present be not less than that required by the preceding Articles; but in case of an equality of votes, the decision shall be in favor of the prisoner; the President at a Court Martial shall vote with the other Members, but shall have no casting vote. Provided, that in cases of an equality of votes upon other questions than the finding and the sentence, the President shall have a casting vote.

ARTICLE 96.

No sentence of death shall be given against any offender by a Court Martial, unless two-thirds of the Members present concur therein, or four where the Court consist of five Members, or five where the Court consist of seven.

Affirmations. ARTICLE 97.

On the assembly of a Court Martial, the Judge Advocate or Superintending European Officer shall administer to the Interpreter the following Solemn Affirmation:

"I, A. B., solemnly affirm in the presence of Almighty God, that I will faithfully interpret and translate the proceedings of the Court, and that I will not divulge the sentence until it shall have been published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court unless required to give evidence thereof by a Court of Justice or Court Martial, in due course of Law."

In case of the unavoidable absence of an Interpreter, the European Superintending Officer of a Court Martial inferior to General, shall make the the Solemn Affirmation prescribed for the Interpreter.

The Judge Advocate or Superintending Officer shall then cause the following Solemn Affirmation to be made by each Member:

"I, A. B., solemnly affirm in the presence o "Almighty God, that I will duly administer justice according to the Articles of War, without partiality, favour, or affection, and, if any doubt shall arise, then, according to my conscience, the best of my understanding, and the custom of War in the like cases, and that I will not divulge the sentence of the Court until it shall be published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or a "Court Martial in due course of Law."

The following Solemn Affirmation shall then be administered by the Interpreter to the Judge Advocate or Superintending Officer:

"I, A. B., solemnly affirm in the presence of Almighty God, that I will not upon any account whatsoever disclose or discover the vote or opinion of any particular Member of the Court Martial, unless required to give evidence thereof as a witness by a Court of Justice, or a Court Martial in due course of law, and that I will not, unless it be necessary for the due discharge of my official duties, disclose the sentence of the Court, until it shall be published by authority."

Provided, that it shall be necessary to re-administer these Solemn Affirmations on the commencement of fresh trials before the same Court.

ARTICLE 98.

All persons who give evidence at a Court Martial are to be examined on Oath according to the forms of their respective religions or on Affirmation—and persons of the Hindoo or Mahomedan persuasion and other persons making Affirmation, shall make Affirmation to the following effect:

"I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth."

And if any person making such Affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn would have amounted to perjury, every such offender shall be subject to the same punishment to which persons convicted of perjury are subject.

Summoning Witnesses not amenable to these Articles ARTICLE 99.

In all cases where persons required as witnesses before a Court Martial, may not be amenable to Military Law, the Judge Advocate or Commanding Officer shall transmit to the Magistrate within whose jurisdiction the witness may reside, his summons for the attendance of such person, and the Magistrate shall cause the witness to be duly summoned.

Powers and Duties of Provost Marshals. ARTICLE 100.

For the prompt and instant repression of all irregularities and crimes which may be committed by Troops in the Field and on the Line of March, Provost Marshals shall be appointed by the Commander in Chief, and their Powers shall be regulated according to the established Usages of War and Rules of the Service; their duties are to take charge of Prisoners confined for offences of a general description; to preserve good Order and Discipline; to prevent Breaches of both, by Soldiers and Followers of the Army, and to punish on the spot, on the same day, those whom they may find in the immediate act of committing Breaches of good Order and Military Discipline; Provided, that the punishment be limited to the necessity of the case, and shall accord with the orders which the Provost Marshals may from time to time receive from the Commander of the Forces in the Field, and that whatever may be the crime, the Provost Marshal or his Assistant shall see the offender commit the act, for which summary punishment may be inflicted, or if the Provost Marshal or his Assistant should not see the offender actually commit the crime, but that sufficient proof can be established of the offender's guilt, a Report shall be made to the Commander of the Army in the Field, who is hereby empowered to deal with the case as he may deem most conducive to the maintenance of good Order and Military Discipline. The duties of Provost Marshals being limited to the punishment of offenders whom they may detect in the actual commission of any crime, the General Commanding the Forces in the Field will cause them to exercise the powers entrusted to them in such manner and under such circumstances as he may consider best calculated to prevent and instantly to repress crimes injurious to the Discipline of the East India Company's Army and the Public Service.

Trials by European Courts Martial. ARTICLE 101.

At any Presidency where the Native Troops have hitherto been authorized to claim to be tried by European Courts Martial, every person amenable to these Articles of War, and who may be under orders for trial by a Court Martial, shall have the right to claim to be tried by European Officers; and should he make such claim, the Court, whether General, District, or Garrison, or Regimental, shall be composed of European Commissioned Officers, and the number of Members and the proceedings shall be governed in all respects by the provisions of these Articles.

And it shall be competent to the Governor General of India in Council by a General Order to authorize the Native Troops of any of the Presidencies to claim to be tried in like manner by European Courts Martial.

SECTION IV.

Effects of the Dead. * ARTICLE 102.

When any Officer or Soldier, or any person receiving public pay drawn by any Officer in charge of a Public Department belonging to the Army, may die, or be killed in the service, the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, shall, if no Heir or Executor be present, secure his Effects, and direct an inventory thereof to be taken, a duplicate of which is to be lodged in the Office of the Adjutant, or Officer in charge of the Department.

* ARTICLE 103.

If there be no Heir or Executor on the spot, the Effects are to be publicly sold; the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, after discharging the debts of the deceased, viz. the expense of Funeral Ceremonies, his Debts in Camp or Quarters, and Regimental Debts of every description, shall account for the residue to the Heir or Heirs declared by Will, whether written or verbal, or nominated in the Regimental Register, or in failure of such to the legal representative of the deceased; and in the event of no Executor, Heir, or other representative of the deceased attending and establishing his claim within twelve months from the date of the casualty, the amount in the hands of the Officer having charge of the Estate, is to be remitted to the General Treasury at the Presidency.

SECTION V.

Miscellaneous.

ARTICLE 104.

The Effects of Deserters are to be publicly sold, and the proceeds after payment of Regimental Debts, remitted by the Officer Commanding the Corps to which the Deserter belongs, to the General Treasury at the Presidency, or appropriated according to the rules obtaining at such Presidency.

ARTICLE 105.

All powers and provisions contained in these Articles relating to the Commander in Chief, shall be construed to extend to the Commander in Chief at any Presidency, and to the Officer Commanding the Forces for the time being at any Presidency, unless when otherwise provided.

All powers and provisions contained in these Articles relating to Soldiers, shall be construed to extend to Non-Commissioned Officers, unless when otherwise provided.

ARTICLE 106.

When any portion of the Troops belonging to one Presidency shall be serving within the limits of another Presidency, such Troops shall be considered as placed, during such service, under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency within which they are serving, for all the purposes of these Articles of War, in the same manner as though they belonged to such Presidency; and all the provisions of these Articles of War, which relate to the trial and punishment of offenders belonging to the Presidency within which the trial is held, are hereby declared applicable to the trial and punishment of offenders amenable to

these Articles of War serving within such Presidency. Provided always, that it shall be lawful for the Governor General in Council in his executive capacity, to direct that the Troops, or any part thereof of any Presidency, whilst serving without the limits of such Presidency shall continue under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency to which they belong for all purposes of these Articles.

ARTICLE 107.

Any Officer Commanding any portion of the East India Company's Troops which may at any time be serving in any place out of Her Majesty's Dominions, or of the Possessions or Territories which are or may be under the Government of the said Company, or of the Territories of those States in alliance with the said Company in which the said Company's Forces are permanently stationed, shall, upon complaint made to him of any offence committed against the property or person of any inhabitant or resident in any such countries, by any person serving with or belonging to the Company's Army, being under the immediate Command of any such Officer, summon and cause to assemble a General Court Martial, which shall consist of not less than three Officers, for the purpose of trying any such person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts Martial; and every such Court Martial shall have the same powers in regard to summoning and examining witnesses, trial of, and sentence upon any such offenders as are granted by these Articles to General Courts Martial; provided that no sentence of any such Court Martial shall be executed until the General Commanding in Chief the Army to which the Division, Brigade, Detachment, or Party to which any person so tried, convicted and adjudged to suffer punishment shall belong, shall have approved and confirmed the same; except where such sentence shall not exceed the powers granted by these Articles to a District, or Garrison Court Martial, in which case the Officer by whom the Court is convened is hereby authorized to confirm or commute, or mitigate, or remit the same; reporting the proceedings to the said General Commanding in Chief.

ARTICLE 108.

General Courts Martial only shall have the power to try Commissioned Officers; or to pass Sentence of Death or Transportation on any offenders.

ARTICLE -109.

No person, being acquitted or convicted before a Court Martial of any offence, shall be liable to be tried a second time by the same or any other Court Martial for the same offence. Provided always, that after a Soldier shall have been found guilty by a Court Martial of any military offence, such Court Martial shall inquire into and receive evidence of any previous conviction of such Soldier before a Court Martial or a Court of Justice, and shall enquire into the general character of such Soldier; for the purpose of affixing the punishment to which he is liable to be sentenced for the offence of which he has been so found guilty.

Provided that no such evidence shall in any case be received until the Court shall have ascertained that such Soldier had previously to his trial received notice of the intention to produce such evidence on the same. And it is hereby directed that such notice shall be given to all Soldiers previous to trial.

* ARTICLE 110.

No Non-Commissioned Officer shall be Reduced to the ranks but by the sentence of a Court Martial, or by order of the Commander in Chief of the Presidency to which the offender shall belong. Provided that no Non-Commissioned Officer shall be Reduced to the ranks for any limited period; nor Suspended from his rank; nor Reduced from a higher to a lower grade of Non-Commissioned Officer; nor sentenced to suffer Corporal Punishment or Imprisonment, without being first Reduced to the ranks.

* ARTICLE 111.

Any Officer or Soldier thinking himself wronged by his Superior or other Officer is to complain thereof to the Commanding Officer of his Troop or Company, by whom if the grievance be not redressed, such Officer, Non-Commissioned Officer, or Soldier, may complain to the Commanding Officer of his Regiment, who is hereby required to examine into such complaint, or remit it to his superior authority as the circumstances may require; but if the complaint should appear to be frivolous or groundless, the party preferring it shall be liable to be punished according to the sentence of a General or other Court Martial in manner hereinbefore mentioned; provided that such offender shall not be liable to be sentenced to Dismissal, nor to suffer Corporal Punishment or Imprisonment with hard labour.

ARTICLE 112.

In case of light offences, a Commanding Officer may, without the intervention of a Court Martial, award extra drill with or without pack for a period not exceeding fifteen days; restriction to Barrack limits not exceeding fifteen days; confinement in the Quarter Guard or Defaulter's Room, not exceeding seven days; removal from Staff situations or acting appointments; or may order Soldiers to be employed in piling and unpiling shot; and in cleaning accourtements of men in Hospital; but none of these descriptions of punishment shall be awardable by Sentence of a Court Martial. And a Commanding Officer may award solitary confinement not exceeding seven days.

Provided that Soldiers in confinement shall be liable to be ordered to attend ordinary drill.

ARTICLE 113.

Any Officer, or Soldier, who shall be taken prisoner by the Enemy, shall forfeit all claim to pay and allowances during the period of his remaining a prisoner and until he shall again return to the service; when, if he can establish, before a Court Martial, that he was unavoidably taken prisoner in the course of service, and resisted as long as he was able, and that he hath not served with or assisted the Enemy, and that he hath returned as soon as possible to the service, he shall be entitled to receive either the whole, or such portion of his arrears of pay and allowances as the Government of the Presidency to which he may belong shall determine, after the opinion or finding of such Court Martial shall have been confirmed by the Commander in Chief. And every Officer or Soldier in imprisonment under the sentence of a Court Martial, or a commuted sentence, or under the sentence of a Court of Criminal Judicature, shall, during the term of such imprisonment, receive subsistence only, to the amount of his pay proper, according to the rates of Pay granted to Officers and Soldiers of the Bengal Army.

SECTION VI.

Mode of dealing with offences not Military.

ARTICLE 114.

In all places within the jurisdiction of any Civil Judicature, established by appointment of Her Majesty or of the said Company, Officers and Soldiers accused of capital crimes, or of violence, or of offences against person and property, punishable by such Civil Judicature, shall be delivered over to a Magistrate to be proceeded against according to Law.

And all Officers and Soldiers are hereby required to assist the Officers of Justice in apprehending and securing any person so accused.

Crimes to be tried by Courts Martial where no regular Criminal tribunals exist.

ARTICLE 115.

In any place within the limits of the Charter of the East India Company, whether in or out of the British Territories, where there may be no Civil Judicature appointed by Her Majesty or the said Company for the trial of persons accused of offences ordinarily cognizable by Civil Tribunals, such offences when committed by Officers or Soldiers shall be cognizable by Courts Martial.

ARTICLE 116.

General Courts Martial shall have cognizance ordinardy, of offences punishable with Death;

Transportation for Life;

Imprisonment for Life;

Imprisonment for a period which may extend to fourteen years;

Imprisonment for a period which may extend to seven years.

ARTICLE 117.

District, or Garrison Courts Martial shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period which may extend to three years, and, by special order, of offences ordinarily cognizable by General Courts Martial not liable to the punishment of Death or Transportation, with power to sentence persons convicted of such offences to Imprisonment for any period not exceeding three years.

ARTICLE 118.

Regimental, Detachment, or Line Courts Martial, shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period not exceeding six calendar months, and, by special order, of offences ordinarily cognizable by District, or Garrison Courts Martial, with power to sentence persons convicted of such offences to Imprisonment for a period not exceeding six calendar months.

General Courts Martial.

Punishment of Death. ARTICLE 119.

Any Officer or Soldier who shall be convicted by a General Court Martial of the crime of "Murder" shall be sentenced to suffer Death by being hanged by the neck until he be dead.

If any injury intended against one person shall, through mistake or accident, light upon another person, and kill him, such killing shall be deemed to be murder, whensoever it would have been murder had the person against whom such injury was intended been killed.

Whensoever death shall result from any injury wilfully caused by an offender, but without his

intending such injury to light on any person in particular, such offender shall be guilty of murder, if the offence would have been murder had he intended to do the injury to the person killed.

Offences punishable by Transportation for Life. ARTICLE 120.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences hereinafter mentioned, accompanied with an attempt to commit murder, or with wounding or other Corporal injury to any person endangering the life of such person: That is to say,

1st.—Breaking, or attempting to break, by day or night, into any Dwelling House, Tent, Boat, or other habitation, or into any building or place used for the preservation of property, with the intent to rob or steal.

2nd.—Robbery or attempt to rob;

3rd.—Stealing or attempting to steal in a house, or from the person;

Shall be Sentenced by such General Court Martial to Imprisonment with or without hard labour and Transportation for life.

Offences punishable by Imprisonment which may extend to fourteen years.

ARTICLE 121.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences specified in the last Article, accompanied with wounding or other Corporal injury to any person not endangering the life of such person;—— or

ARTICLE 122.

Of wounding, or administering poison with intent to murder, whether the person wounded or to whom poison is administered, be the person whom the offender intended to murder or another; —— or

ARTICLE 123.

Of Robbery by open violence, or Dacoity, that is to say, going forth in the day or in the night with an offensive weapon, or in a gang the or without an offensive weapon, with the intention of committing robbery, and by force or intimidation robbing or attempting to rob any person in any place, or attacking by open violence any house, or place of habitation, or any place in which property may be kept, for the purpose of robbery;—— or

ARTICLE 124.

Of breaking, or attempting to break, into any Dwelling House, Tent, Boat, or other place of habitation, between sunset and sunrise, with intent to rob or steal;—— or

ARTICI E 125.

Of breaking into any such place of habitation, or into any place used for the preservation of property, and stealing therefrom property the value of which shall exceed One Hundred Company's Rupees;—— or

ARTICLE 126.

Of purchasing or receiving plundered or stolen property, knowing it to have been obtained by robbery by open violence, or by theft or robbery aggravated as described in Article 120 or Article 121:

Shall be sentenced by such General Court Martial to Imprisonment with or without Hard Labour for a period not exceeding fourteen years. Offences punishable by Imprisonment not exceeding seven years.

ARTICLE 127.

Any Officer or Soldier who shall be convicted by a General Court Martial of culpable Homicide not amounting to wilful murder;—— or

ARTICLE 128

Of premeditated affray, attended with Homicide, or severe wounding, or other aggravating circumstance; —— or

ARTICLE 129.

Of intentionally wounding, maiming, or otherwise doing Corporal injury to any person; —— or

ARTICLE 130.

Of accidentally wounding, maining, or otherwise doing Corporal injury to any person, with the intention of doing such injury to another person;

ARTICLE 131.

Of breaking into any Dwelling House, Tent, Boat, or other place of habitation, or into any place used for the preservation of property, between sunrise and sunset, with intent to steal therein;

or

ARTICLE 132.

Of stealing from any habitation, or from any person, any property exceeding Three Hundred Company's Rupees in value; —— or

ARTICLE 133.

Of having purchased any property so stolen, exceeding in value Three Hundred Company's Rupees, knowing it to have been stolen; —— or

ARTICLE 134.

Of Arson; —— or

ARTICLE 135.

Of an unnatural crime; —— or

ARTICLE 136.

Of Rape; — or

ARTICLE 137.

Of enticing and taking away, or of causing to be enticed or taken away for any unlawful purpose, any unmarried woman under the age of fifteen years;—— or

ARTICLE 138.

Of stealing a child under the age of eight years;

ARTICLE 139.

Of counterfeiting, or causing or procuring the fraudulent fabrication or alteration of any written deed, or printed paper, of any description; or any counterfeit seal or signature thereto; or the illicit imitation of any public stamp or stamped paper, established by Government; or of fraudulently issuing and publishing as true, or of fraudulently giving effect, or attempting to give effect, to fabricated deeds and papers, knowing them to be forgeries; or of using, selling or disposing of such stamped paper, knowing the same to be counterfeit; — or

ARTICLE 140.

Of forging or procuring to be forged any counterfeit Coin, in imitation of any of the Gold, Silver or Copper Coin of the British Government in India; or of any Coin usually received as money in the British Territories; or of clipping, filing, drilling or defacing any such Coin; or of paying or tendering in payment counterfeit Coin, Bank Notes or other Securities for money, knowing the same to be counterfeit, although such Notes or Securities shall be incomplete;

Shall be Sentenced by such General Court Martial to suffer Imprisonment with or without Hard Labour, for any period not exceeding seven years.

District or Garrison Courts Martial.

Offences punishable by Imprisonment not exceeding three years.

ARTICLE 141.

It shall be competent to the Commander in Chief, and to any Officer having authority to convene District or Garrison Courts Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which the punishment of Death, or Imprisonment or Transportation for Life is not provided therein, to be tried for such offences before a District, or Garrison Court Martial, and such Court shall have power, on conviction, to sentence any such offender to Imprisonment with or without Haid Labour for any period not exceeding three years.

ARTICLE 142.

Any Officer or Soldier who shall be convicted by a General, District, or Garrison Court Martial, of stealing from any habitation, or from the person, any property, of value not exceeding Three Hundred Company's Rupees but exceeding Fifty Company's Rupees;—or

ARTICLE 143.

Of having purchased or received any stolen property of value not exceeding Three Hundred Company's Rupees, knowing it to have been stolen, but not under aggravating circumstances;

or

ARTICLE 144.

Of having stolen property in his possession, and of having kept possession of such property after becoming aware of its having been stolen;

Shall be sentenced by such Court to suffer Imprisonment with or without Hard Labour for any period not exceeding three years.

Regimental, Detachment, or Line Courts Martial.

Offences punishable by Imprisonment not exceeding six months.

ARTICLE 145.

It shall be competent to any Officer having authority to convene a Court Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which no punishment exceeding Imprisonment with Hard Labour for three years is therein provided, to be tried before Regimental, or Detachment, or Line Courts Martial, and any such Court shall have power, on conviction, to sentence any such offender to suffer Imprisonment with or without Hard Labour for any period not exceeding six calendar months.

Offences punishable by Imprisonment from six months to one year, according to the description of the

ARTICLE 146.

Any Officer or Soldier who shall be convicted of stealing property to the value of Fifty Company's Rupees, or of less value;—or

ARTICLE 147.

Of Assault or Affray, unattended with Homicide, severe wounding, or aggravating circumstances;

Shall be sentenced to suffer Imprisonment with or without Hard Labour, for any period not exceeding one year, by the award of a General, or District, or Garrison Court Martial; or, for any period not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

Offences punishable by Imprisonment from six months to two years, according to the description of the Court.

ARTICLE 148.

Any Officer or Soldier who shall be convicted of resisting the process of a Magistrate or Police Officer;—— or

ARTICLE 149.

Of having committed any offence against person or property for which provision is not already made in the preceding Articles of War;

Shall be sentenced to suffer Imprisonment for

Shall be sentenced to suffer Imprisonment for any period not exceeding two years, by the award of a General Court Martial; not exceeding one year, by the award of a District, or Garrison Court Martial; and not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

ARTICLE 150.

Any Officer or Soldier who shall be convicted by a General, or District, or Garrison, or Regimental Court Martial, of having been present, aiding and abetting, or of having caused, instigated, or produced, the commission of any of the offences specified in any of the preceding Articles, shall be sentenced by such Court to the pumshment therein provided for such offence, and awardable by General, or District or Garrison, or Regimental Courts Martial, respectively.

ARTICLE 151.

No sentence of Death shall be carried into effect until confirmed by the Commander in Chief, nor, if the trial shall have been held within the British Territories forming part of either of the Presidencies of Fort William, Fort St. George, and Bombay, respectively, until such confirmation shall have been concurred in by the Government of the Presidency where such trial shall have been held.

ARTICLE 152.

The Commander in Chief is authorized at his discretion to confirm any sentence of Death, or to remit such sentence, or to commute it into Imprisonment with hard labour and Transportation for life, or into Imprisonment with hard labour for any term of years.

ARTICLE 153.

No sentence of Transportation shall be carried into effect until confirmed by the Commander in Chief, and the Commander in Chief is authorized at his discretion to confirm any such sentence, or to commute it into Imprisonment with or without hard labour for any period of time.

ARTICLE 154.

It shall be competent to any Officer having authority to confirm the sentence of a General or other Court Martial to remit any sentence passed by such Court Martial, or to mitigate such sentence by substituting simple Imprisonment for Imprison-

ment with hard labour, or by reducing the period of Imprisonment, or by directing the discharge of the offender in lieu of any Imprisonment.

ARTICLE 155.

A person who may have been tried for any offence by a Court Martial under the authority of these Articles of War, shall not be tried for the same in any other Court whatsoever, and no person who shall have been acquitted or convicted of any offence by a Court of Civil Judicature shall be punished by a Court Martial for the same, otherwise than by Cashiering or Dismissal from the service.

ARTICLE 156.

The Regulations at present in force at any Presidency, by which the office and powers of Commissariat Officers, or Officers in charge of the Police, or Superintendents of Bazars, are defined and controuled; or by which Punchayets are constituted and guided; or by which jurisdiction is given to Courts Martial over offences committed by persons amenable to the Articles of War, within certain limits beyond or around Cantonments; are hereby declared to be in full force, and the same shall continue to be observed at the several Presidencies respectively.

SECTION VII.

Application of the Articles.
ARTICLE 157.

All Officers and Soldiers, all Drivers, Farriers, Trumpeters, and Drummers; all unattested Re-

cruits; all Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers; all Artificers and Labourers, Suttlers, Followers, public and private, or others attached to or serving with any part of the Army, are to be governed by these Articles and subject to trial by Courts Martial.

Provided, that persons of European descent, (whether on the side of their father or mother) professing the Christian religion, shall not be amenable to these Articles; but if belonging to the descriptions mentioned in this Article, (and not being Her Majesty's natural born subjects born in Europe, or the children of such subjects,) shall be tried and punished in the same manner as persons are who are subject to the Mutiny Act and Articles of War in force for the better government of the European Officers and Soldiers in the Service of the East India Company.

Promulgation of the Articles.

ARTICLE 158.

These Articles are to be translated into the several languages of the different Presidencies, and the parts following, viz. the second Section, together with the following Articles in other Sections which are marked with an * (Asterisk), viz 2, 4, 75, 78, 80, 102, 103, 110, and 111, are to be read once every three months at the head of every Regiment, Troop or Company mustered in the service and to every Recruit at the period of his attestation.

G. A. Bushby, Secy. to the Govt. of India.



The Calcutta Gazette

EXTRAORDINARY.

Published by Authority.

FRIDAY, DECEMBER 24, 1847.

Fort William, Home Department, Legislative, the 18th December, 1847.

The following Act is brought up before the Legislative Council this-day, The Governor General of India in Council being desirous that no time should be lost in passing the Act,

Resolved—That the Rules requiring that all Acts of the Governor General of India in Council shall be brought up for second reading in two months or in three months from the date of the first reading be suspended in respect to the following proposed Act, and that it be at once passed into Law.

▲CT No. XIX. OF 1847.

An Act to make certain Amendments in the Articles of War for the Government of the Native Officers and Soldiers in the Military Service of the East India Company.

WHEREAS it is expedient to make certain Amendments in the Articles of War provided by Act XX. of 1845, for the Government of the Native Officers and Soldiers in the Military Service of the East India Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers.

- It is therefore hereby enacted, that from and after the First day of March 1848, the Articles of War provided by Act XX. of 1845, are repealed.
- II. And it is enacted, that the following Articles of War shall from and after the said day be the Articles of War for the Government of the said Native Officers and Soldiers in the Military Service of the said Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers. Provided always that all crimes and offences committed against the Articles of War provided by Act XX. of 1845 aforesaid may be inquired of and punished in like manner as if they had been symmitted against the manner as if they had been sommitted against the Articles of War hereby provided; and that every Warrant for helding any Court Martial under the Articles of War provided by the Act XX. of 1845 aforesaid shall remain in full force notwithstauding the repeal of such Articles; and that all proceedings of any Court Martial upon any risk begun under such Articles, shall not be discontinued by the repeal of the same. the repeal of the same.

ARTICLES OF WAR.

SECTION I.

Of Inlisting and Discharges.

ARTICLE 1.

Every Recruit, prior to being enrolled in his Regiment, shall have the First Four Articles of the Second Section of these Arthus of War read and explained to him, and when reported fit for duty in the ranks, such Declaration as is now used, if any, in the respective Presidencies, shall be made to him by the Officer Commending, in front of the Regiment or Corps, in presence of the Native Officers and Soldiers, and an oath or declaration shall then be required from him, according to the forms of his religion, such oath and declaration to be the like as are now used in the respective Presidencies.

* Arricle 2.

No Commissioned Officer shall be dismissed except by the Sentence of a General Court Mar-No Non-Commissioned Officer or Soldier shall be discharged as a punishment except by the Sentence of a Court Martial, or by order of the Commander in Chief at the Presidency to which he may belong. Every such dismissal or discharge shall include forfeiture of all claim to pension. Provided also, that the Governor General in Council in his executive capacity, and the Governor in Council of any Presidency to which a Com-missioned or Non-Commissioned Officer or Soldier may belong, shall have newer to order his dismissal or discharge.

ARTICLE &

All Non-Commissioned Officers and Soldiers discharged the Service, shall be furnished by the Commanding Officer of the Regiment with a Discharge Certificate, anade out in the Vernacular Language of the individual discharged, with an English Translation, expressing the authority for and cause of, such discharge, and the period of his antire Service in the Army.

* ARTICLE A.

No Non-Commissioned Officer or Soldier shall enlist himself in any other Regiment without a regular discharge from his former. Regiment, under the penalty of being reputed a Deserter, and suffering accordingly.

SECTION II.

Crimes and Punishment.

Crimes punishable with death, transportation, corporal punishment, imprisonment, or dismissol.

ARTICLE 5.

Any Officer, or Soldier, who shall begin, excite, cause, or join in any Mutiny or Sedition in the Regiment or Corps to which he belongs, or in any other Corps or Regiment whatsoever, on any pretence whatever; or who, being present at any Mutiny or Sedition, shall not use his utmost endeavours to suppress it; or who, coming to the knowledge of any Mutiny, intended Mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer; —— or

ARTICLE 6.

Who shall strike his Superior Officer, or shall draw or offer to draw, or lift up any weapon, or use or offer any violence, against him; whether on or off duty, and under all circumstances in which his Superior Officer may be distinguishable as such in any manner; -70

ARTICLE 7.

Who shall disobey any lawful Command of his Superior Officer;--01

ARTICLE 8.

Who shall desert from the East India Company's Service, (whether or not he shall re-enter or reenlist in the same;)--or

ARTICLE 9.

Who, being a Senery, in time of War or alarm, shall sleep upon his post; or shall leave it before regularly relieved, or without leave; or shall plunder or injure the property placed under his charge;-

ARTICLE 10.

Who shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard, committed to his charge, or which it was his duty to defend; or who shall use means to induce any other Officer or Soldier so to abandon or deliver up any such Garrison, Fortress, Post, or Guard;

ARTICLE 11.

Who shall treacherously make known the watchword to any person not entitled to receive it, according to the Rules and Discipline of War;

ARTICLE 12.

Who shall hold correspondence with or give intelligence to the Enemy, or any person in arms against the State, either directly or indirectly; or who, coming to the knowledge of such correspondence or communication, shall not discover it immediately to the Commanding Officer;-

ARTICLE 13.

Who shall directly or indirectly assist or relieve the Enemy, or Persons in arms against the State, with money, victuals, or ammunition; or shall knowingly harbour or protect any Enemy or Person in arms against the State;-

ARTICLE 14

Who shall treacherously release, wilfully aid, or connive at the escape of any Enemy or Person in arms against the State, placed as a Prisoner under his charge ;--or

ARTICLE 15.

Who shall misbehave himself before the Enemy, or persons in arms against whom he is lad, or use means to induce others se to misbenave ;-

ARTICLE 16.

Who shall in presence of an Enemy, or of persons in arms against whom he is led, shamefully cast away his arms or ammunition ;-

ARTICLE 17.

Who shall leave his Commanding Officer, or his Post, or Colours, or Party, in time of action, to go in search of Plunder ;-

ARTICLE 18.
Who, in time of War, shall do violence to any person bringing provisions or other necessaries to the Camp or Quarters of the Forces; or shall force a Safeguard; or break into any house, or other place for plunder; or plunder fields, or gardens, or other property; --01

ARTICLE 19.

Who, in time of War, shall, by discharging fire arms, drawing swords, beating drums, making signals, using words, or by any means whatever, intentionally occasion false alarms, in Action, Camp, Garison, or Quarters;—or

ARTICLE 20.

Who shall, without proper authority, release any State Prisoner, or through carelessness or neglect shall suffer any such Prisoner to escape; or shall connive at the plunder or injury of pro-perty in time of War, or the plunder or injury of Treasure, or of a Magazine, or Dock Yard, by the Sentry or Guard in whose charge such property, or Treasure, or Magazine, or Dock Yard is placed;

ARTICLE 21.

Who, being a Sentry placed over any State Prisoner, or over Treasure, or over a Magazine, or Dock Yard, shall quit his Post without being regularly relieved, or without leave; or shall sleep upon his Post; or shall plunder or injure the property placed under his charge; Shall, if an Officer, on conviction, suffer Death,

or Transportation for life, or be Dismissed the Service;

And, if a Soldier, shall, on conviction, suffer Death or Transportation for life; or Imprisonment with or without hard labour, for life or for any term of years; and with or without solitary confinement for any portion or portions of the term of imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement of not less duration than such periods of solitary confinement; or shall suffer Corporal Punishment; or Dismissal from the Service; as by a General Court Martial shall be awarded. Provided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martial, or by order of his Commanding Officer.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General or District Court Martial with Dismissal, Reduction, Corporal Punishment, or simple Imprisonment with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 22.

Any Officer or Soldier who shall in operations in the field, apread reports by words or letters calculated to create unnecessary alarm in the Troops, or in the vicinity, or in rear of the Army;——or

ARTICLE 28.

Who shall, in Action or previously to going into Action, use words tending to create Alarm or Despondency; or

ARTICLE 24.

Who shall be drunk when on, or for duty, or on Parade, or on the Line of March;——or

ARTICLE 25.

Who shall strike or force any Sentry; ---- or

ARTICLE 26.

Any Soldier who shall be grossly insubordinate or insolent to his Superior Officer in the execution of his office; or grossly insubordinate and violent in the presence of a Court Martial;—or

ARTICLE 27.

Who, being on actual Service, shall refuse to assist in making field works;

Shall, if an Officer, on conviction, be Sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction, before a General, or District, or Garrison Court Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Provided, that such Offender shall not be Sentenced to Death, or Transportation, or Imprisonment with hard labour.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General, or District Court Martial, with Dismissal, Reduction, Imprisonment with or without hard labour, and with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 28.

Any Officer who shall behave in a manner unbecoming the character of an Officer; (the fact or facts whereon the charge is grounded being clearly specified therein;)—— or

ARTICLE 29.

Any Officer or Soldier who shall advise or persuade any other Officer or Soldier to desert, or who shall connive at such desertion; or who shall knowingly receive and entertain any Deserter, and shall not immediately on discovery give notice to his Superior Officer; or shall not cause such Deserter to be apprehended by the Civil Power;—— or

ARTICLE 30.

Who shall obtain or attempt to obtain for himself, or for any Officer or Soldier, or for any other person whatsoever, any Pension or Allowance, by any false Statement, Certificate, or Document, or by the omission of the true Statement, or Certificate, or Document;—— or

ARTICLE 31.

Who shall knowingly make a false Return or Report, to any his Superior Officer authorized to call for a Return or Report, of the state of the men under his Command, or of Arms, Ammunition, Clothing, or other Stores thereunto belonging, or of which he may have charge;—— or

ARTICLE 32.

Who, at any post, or on the march, shall illegally and against the will of the parties extort money or property of any description, as fees or duries, or on any pretence whatever; or shall, without authority, exact from Villagers or others, carriage, porterage, or provisions;—— or

ARTICLE 33.

Who shall wantonly and intentionally defile any place dedicated to religious worship, or shall wantonly and intentionally insult the religious prejudices of other persons;

Shall, if an Officer, on conviction, be sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction before a General, District, or Garrison Court Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Provided, that such Offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by any Court Martial with Dismissal, Reduction, Imprisonment with or without hard labour, and with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 34.

Any Officer or Soldier, who, being under arrest or in confinement, shall leave his arrest or confinement before he is set at liberty by competent authority; —— or

ARTICLE 35.

Who shall malinger, feign or intentionally produce disease or infirmity; or intentionally delay his cure; or intentionally aggravate his disease or infirmity; —— or

ARTICLE 36.

Who shall, without orders, commit any waste, or spoil, or plunder, or shall injure or destroy any property; —— or

ARTICLE 37.

Any Soldier who shall, contrary to orders, when off duty, appear in or about Camp or Cantonments, or on occasion of visiting Towns or Bazars, carrying a Sword, Bludgeon, or other Weapon;—— or

ARTICLE 38.

Who shall sell, pawn, or designedly or through neglect lose or injure his Horse, Arms, Clothes, Accourtements or Regimental Necessaries; or any of the above Articles entrusted or belonging to any other Soldier;

Shall, on conviction before a General, Distriction or Garrison, or Regimental Court Martial, be sentenced to suffer such punishment as such Courts Martial respectively are by these Articles of War empowered to award.

Provided that such offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Embezzlement; punishable by General Court Martial with Dismissal, Fine, and Imprisonment with or without hard labour, and with or without solitary confinement, of Officers and Soldiers.

ARTICLE 39.

Any Officer, or Soldier, who shall embezzle or fraudulently misapply any money entrusted to him on the public account, or for any Military purpose; or any Provisions, Forage, Arms, Clothing, Ammunition, or Military Stores, of whatever kind or description, the property of Government, entrusted to his charge; or who shall wilfully spoil such property, or suffer it to be spoiled, or shall be concerned in or connive at any such embezzlement or fraudulent misapplication;

Shall, on conviction before a General Court Martial, be Dismissed the Service, and fined to the extent of his arrears of Pay and Allowances; and be further liable to suffer Imprisonment with

er without hard labour for a term which may extend to three years, and with or without solitary confinement (to be regulated as aforesaid.)

Disgraceful Conduct; punishable by General or District Court Martial, with Corporal Punishment, or Imprisonment with or without hard labour and solitary confinement, and in addition with forfeiture of additional Pay and of Pension on discharge, and stoppuges, of Non-Commissioned Officers and Soldiers.

ARTICLE 40.

Any Soldier who shall be guilty of disgraceful conduct;

In wilfully maining or injuring himself, or any other Soldier at the instance of such Soldier, with intent to render himself or such Soldier unfit for the Service, or with intent to take his own life;

ARTICLE 41.

In purloining or selling Government Stores;

ARTICLE 42.

In stealing money or goods, the property of a Soldier, or of a Military Officer, or of any Military Mess, or of any person or persons belonging to or serving with or attached to the Army;

ARTICLE 43.

In plundering or injuring property placed under his charge as Sentry, or in charge of his Guard, or in conniving at the plunder or injury of such property; —— or

ARTICLE 44.

In embezzling or fraudulently misapplying public money entrusted to him for any Military purpose; —— or

ARTICLE 45.

In committing any petty offence of a fraudulent or dishonest nature, to the injury of or with intent to injure the Government, or any person, Civil or Military; —— or

ARTICLE 46.

Who shall be guilty of any other disgraceful conduct, being of a cruel, indecent, or unnatural kind:

Shall, on conviction before a General, or District, or Garrison Court Martial, be liable to suffer such punishments as any such Courts are by these Articles of War respectively empowered to award for disgraceful conduct.

And every such offender shall, if not dismissed the service, further be put under stoppages, by sentence of the Court, not exceeding half of his mouthly Pay and Allowances; until the amount be made good of any loss or damage arising out of his misconduct.

And if such offender shall be Dismissed the Service, he shall further be sentenced to forfeit his arrears of Pay and Allowances due at the time of his discharge, or in such proportion as may be required to make good such loss or damage.

Crimes punishable by General Court Martial with Suspension or Reprimand of Officers, or by any Court Martial with Dismissal, Reduction, or Simple Imprisonment with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 47.

Any Officer, or Non-Commissioned Officer who shall strike or otherwise ill-treat any Soldier;

ARTICLE 48.

Any Sentry who, in time of peace shall sleep upon his Post; or shall leave it before regularly relieved or without leave;—or

ARTICLE 49.

Any Officer, or Soldier, who shall knowingly enlist a Deserter, or connive at his enlistment;

ARTICLE 50.

Who, directly or indirectly, shall require or accept a bribe, present, or gratification, on the pretence of, or as a consideration for procuring leave of absence, promotion, or any other advantage or indulgence for any Officer or Soldier;

ARTICLE 51.

Who, being in Command at any Post, or on the march, on complaint made to him of any person under his command beating or otherwise ill-treating any person; or extorting from him more than he is obliged to furnish by authority, or disturbing fairs or markets, or committing any kind of riot; shall not see reparation done to the party or parties injured; or, if that be impracticable, shall not report the same to his Superior Officer;—or

ARTICLE 52.

Who, being in Command of a Guard, shall refuse to receive any Prisoner duly committed to his charge; or shall without proper authority release any prisoner, or shall suffer, through carelessness or neglect, any prisoner to escape;——or

ARTICLE 53.

Who shall quit his Guard, or Picquet, in time of peace, without being regularly relieved, or without leave;——or

ARTICLE 54.

Who shall impede the Provost Marshal, or his Assistants, or any other Officer or person legally exercising authority;—or refuse to assist him when requiring his aid in the execution of his duty;—or

ARTICLE 55.

Who, being on leave of absence, shall have received information from the Head Quarters of his Regiment, or from other competent authority, that his Regiment has been ordered on service, and shall not rejoin without delay;—or

ARTICLE 56.

Who, in time of peace, shall, by discharging fire arms, drawing swords, beating drums, or by any other means whatever, intentionally occasion false alarms in Camp, Garrison, or Cantonments;

ARTICLE 57.

Who shall fail to repair at the time fixed to the parade, or place appointed, for exercise or duty, if not prevented by sickness or some other sufficient cause;——or

ARTICLE 58.

Who shall, without urgent necessity, or without leave of his Superior Officer, quit his Company, or Troop, or the Parade;——or

ARTICLE 59.

Who shall absent himself without leave; or shall, without sufficient cause, overstay the period for which leave may have been granted him;——or

ARTICLE 60.

Any Soldier who shall be found two miles from the Camp contrary to orders;—or

ARTICLE 61.

Who shall, contrary to orders, be absent from his Cantonment after tatoo, or from Camp after retreat beating;—or

ARTICLE 62.

Who shall sell, lose, or designedly, or through neglect, waste the ammunition delivered out to him:

Shall, if an Officer, on conviction, he sentenced to Suspension from Rank and Pay and Allowances; or to be Reprimanded in such manner as the Commander in Chief may direct;

And, if a Soldier, shall, on conviction before a General, or District, or Garrison, or Regimental Court Martial, be sentenced to suffer such punishment as any such Courts Martial are by these Articles of War respectively empowered to award;

Provided that such offender shall not be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

ARTICLE 63.

All crimes not capital, and all disorders or neglects which Officers or Soldiers may be guilty of, to the prejudice of good order and Military discipline, though not specified in these Articles, are to be taken cognizance of by Courts Martial, and to be punished according to the nature and degree of the offence, by the Sentence of a General, or District, or Garrison, or Regimental Court Martial; provided that a Soldier shall not for any such offences be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

Crimes incident to Courts Martial; punishable by General Court Martial with Dismissal or Suspension of Officers, and by any Court Martial with Dismissal or Reduction of Non-Commissioned Officers, and with Dismissal or Simple Imprisonment of Soldiers.

ARTICLE 64.

Any person amenable to these Articles of War, who, when duly summoned before a Court Martial, shall not attend, or shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or who shall induce any other person so to offend;

Shall be punished according to the Sentence of the same or another Court Martial, with Dismissal, or Suspension from Rank and Pay and Allowances, if a Commissioned Officer; with Dismissal, or Reduction to the ranks, if a Non-Commissioned Officer; or with Dismissal, or Imprisonment, if a Soldier;

Provided that such person, being a Commissioned Officer, shall not be liable to be punished by any but a General Court Martial; and that no offender punished under the provision of this Article of War shall be sentenced to suffer Imprisonment with hard labour, or Corporal Punishment.

ARTICLE 65.

Any person not, amenable to these Articles of War, who, having been summoned before any Court Martial, shall refuse or neglect to attend; or who, attending, shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or shall give such testimony as, if given in a Criminal Court, would render him guilty of perjury; or who shall induce any other person so to offend;

Shall be delivered to a Magistrate to be proceeded against according to law.

ARTICLE 66.

Any person using menacing or disrespectful words, signs, or gestures, in the presence of a Court Martial then sitting, or causing any disorder or riot so as to disturb their proceedings;

Shall be punished according to the condition of the offender and the nature and degree of his offence, by the Sentence of the same or another Court Martial, if he be amenable to these Articles of War; provided that such offender shall not be liable to be sentenced to Corporal Punishment or to Imprisonment with hard labour; and if not amenable to these Articles of War, the offender shall be delivered over to a Magistrate to be proceeded against according to law.

Perjury; punishable by General or District Court Martial with Dismissal, and in addition with Fine, or simple Imprisonment, of Officers and Soldiers.

ARTICLE 67.

Any Officer, or Soldier, who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any General, or other Court Martial, or any Military Court entitled to administer an oath; or of inducing any other person so to offend;

Shall be Dismissed the Service, and shall be further subject to Fine to the amount of his arrears of Pay and Allowances, or to Imprisonment which may extend to three years;—according to the Sentence of a General, or District, or Garrison Court Martial.

Crimes admitting of less serious notice. ARTICLE 68.

Whereas it may be advisable that some of the offences which by the foregoing Articles are directed to be tried by a General, or District, or Garrison Court Martial, should, in certain cases which admit of less serious notice, be tried by District, or Garrison, or Regimental Courts Martial-in such cases the Officer Commanding the Regiment or Corps to which the offender belongs may, if he thinks it expedient and for the good of the Service, order the offender to be tried by Regimental Court Martial, for any offence ordinarily cognizable by District, or Garrison Court Martial; making however a report in every such case, for the infor-mation of the General Officer Commanding the Division, of the reasons of his having so proceeded; or such Commanding Officer may lay a particular statement of the case before the General or other Officer having authority to convene General, or District, or Garrison Courts Martial, under whose command such offender may be serving, with an application for permission to try the offender by District, or Garrison, or Regimental Court Martial; and such General or other Officer will exercise his discretion in complying or not with such application; but the permission of such General or other Officer so to proceed, shall be entered upon the proceedings at the trial of such offender.

Provided that MUTINY shall not be considered one of the offences admitting of such discretionary investigation.

And that in cases where offences designated "Disgraceful Conduct" in these Articles of War, and admitting of less serious notice, shall be tried by Regimental Courts Martial, the term "Disgraceful Conduct" shall be omitted in the Charge; and the offender shall on conviction be liable to

suffer such punishment as a Regimental Court Martial is by these Articles of War empowered to award.

Offences on the Line of March or on board Vessels.

ARTICLE 69.

For offences committed on the Line of March, or on board any Ship or other Vessel, the Officer in Command of the Troops is hereby authorized to try any Soldier by a Regimental, or Detachment Court Martial, and to confirm and execute the Sentence on the spot;

Provided that such Sentence shall in no case exceed that which a Regimental Court Martial is competent to award;—and that the proceedings held in all such cases shall be transmitted for the information of the Commander in Chief.

SECTION III.

Administration of Justice.

ARTICLE 70.

Whenever any Officer or Soldier shall commit a crime deserving punishment by Court Martial, he shall, by his Commanding Officer, be put under arrest, if an Officer or Non-Commissioned Officer; or if a Soldier, be confined; until he shall be either tried by a Court Martial, or shall be lawfully discharged by a proper authority; and no Officer or Soldier who shall be put in such arrest or confinement shall continue in his confinement longer than may be actually unavoidable.

And such process of arrest or confinement, or an attempt to effect such process, shall in no case be omitted where it may be practicable;—but where resistance may be made, or from other circumstances such process may be impracticable, the offender or offenders shall be liable to trial and punishment at any subsequent period, within the limitations provided in these Articles of War.

ARTICLE 71.

No person shall be liable to be tried or punished for any offence against these Articles, which shall appear to have been committed more than three years previous to the order directing the assembly of the Court Martial whereby he is to be tried, unless the person accused, by reason of his absenting himself, or some other manifest impediment, shall not have been amenable to justice within that period; in which case such person shall be liable to be tried, at any time not exceeding two years after the impediment shall have ceased.

ARTICLE 72.

Any person amenable to these Articles of War, who may commit any offence against the same, may be tried and punished for such offence in any place within the British Territories, or elsewhere, where he may have come after the commission of the offence, in the same manner as if the offence had been committed where such trial shall take place.

ARTICLE 73.

The Commander in Chief at the Presidencies of Fort William, Fort Saint George, and Bombay respectively for the time being, may appoint General or other Courts Martial, and confirm, and mitigate or commute, or remit the Sentences of such Courts; and may issue his Warrant to any General or other Officer having the Command of a Body of Troops in the service of Her Msjesty, or of the East India Company, empowering such

Officer to appoint General, or District, or Garrison Courts Martial as occasion may require, for the trial of offences committed by any of the Officers, or So diers, or Followers in the service of the said Company, being Natives of the East Indies, or of other places within the limits of the said Company's Charter, and to confirm, and mitigate or commute, or remit the sentences of such Courts Martial.

ARTICLE 74.

A General Court Martial shall not consist of less than thirteen Commissioned Officers, unless it be held out of the East India Company's Territories, where such Court Martial may consist of seven Commissioned Officers, if a greater number cannot be conveniently assembled. And no sentence of a General Court Martial shall be put in execution until after a report shall have been made of the whole proceedings to the Commander in Chief, or to some other person duly authorized to confirm the same, and until his directions shall have been signified thereupon.

Powers of a General Court Martial. * ARTICLE 75.

A General Court Martial may sentence any Officer or Soldier to Death or Transportation, for any crimes which are by these Articles of War expressly made liable to sentence of Death or Transportation, and for such crimes only.

And when a Commissioned Officer shall be convicted of any offence, of which the punishment is not defined in these Articles of War, or is left discretionary, a General Court Martial may adjudge such Officer to be Dismissed the service;—or to be Suspended from Rank and Pay and Allowances, for a stated period;—or to be Placed lower on the list of his rank, by an alteration of the date of his Commission, thereby losing the corresponding benefit of length of service; and the Court shall in every such sentence specify the extent or degree of Suspension or Reduction, which they shall so adjudge;—or the Court may sentence such Officer to be Reprimanded in such manner as the Commander in Chief may direct.

And a General Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks;—or may sentence any Non-Commissioned Officer or Soldier to be Dismissed the service; -or to be Placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,) or may sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; -or Imprisonment with or without hard labour not exceeding two years ; - and to be kept in solitary confinement for any portion or portions of such Imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement, of not less duration than such periods of solitary confinement. Provided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martial, or by order of his Commanding Officer.

And a General Court Martial may, in addition either to Corporal Punishment, or to imprisonment, as aforesaid, sentence a Soldier to Forfeiture of all advantage as to additional Pay and to Pension on discharge, which might have otherwise accrued from the length or nature of his former service; or to Forfeiture of such advantage abso-

lutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And a General Court Martial may, in addition to the punishment of Dismissal, sentence any Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required, to make good any loss or damage arising out of his misconduct;—And, in addition to any punishment not involving Dismissal from the service, may sentence any Officer or Soldier to be put under Stoppages not exceeding two-thirds of his Pay and Allowances in the case of an Officer, and not exceeding half of his Pay and Allowances in the case of a Non-Commissioned Officer or Soldier, until the amount of such loss or damage be made good.

Confirmation and Commutation of Sentence by the Communder in Chief.

ARTICLE 76.

In cases wherein a Sentence of Death shall have been awarded by a General Court Martial, for any offence against discipline for which sentence of Death is awardable under these Articles of War, the Commander in Chief may confirm such Sentence and cause it to be carried into effect, or may, instead of causing such Sentence to be carried into effect, order the offender, if an Officer, to be Transported for life, or to be Imprisoned for any term of years, or to be Di-missed; and, if a Soldier, to be Transported for life, or to be Imprisoned with or without Hard Labour either for life, or for a certain term of years, and with or without solitary confinement, (to be regulated as aforesaid,) as to the Commander in Chief may seem meet.

In cases of Commissioned Officers Sentenced to Transportation, the Commander in Chief may in lieu thereof order the offender to be imprisoned for any term of years, or to be Dismissed. And in cases of Commissioned Officers Sentenced to be Dismissed from the service, the Commander in Chief may, in lieu of such Punishment, direct, that the offender be Suspended from Rank and Pay and Allowances for a certain period, to be distinctly specified by the Commander in Chief.

And the Commander in Chief may commute a Sentence of Transportation passed on a Soldier, to Imprisonment with or without Hard Labour, and with or without Solitary Confinement (to be regulated as aforesaid); and such Imprisonment may be either for the same period for which Transportation shall have been awarded, or for any lesser period.

And the Commander in Chief may commute a Sentence of Corporal Punishment to Dismissal from the service; or, in the case of a Non-Commissioned Officer may mitigate such Sentence to Reduction to the ranks; or in the case of a Non-Commissioned Officer or Soldier may commute such Sentence to Imprisonment without Hard Labour, and with or without Solitary Confinement (to be regulated as aforesaid,) for any period not exceeding two years.

In cases of Non-Commissioned Officers Sentenced to be Dismissed from the service, the Commander in Chief may, in lieu of such punishment, direct that the offender be Reduced to the

ranks, or placed lower in the list of the rank which he holds; (which shall not involve any forfeiture of service or other advantage, except that of standing.)

And in cases of offenders Sentenced to Imprisonment with Hard Labour, the Commander in Chief may mitigate such Sentence by causing the offender to be Reduced to the ranks, in the case of a Non-Commissioned Officer; or in the case of a Non-Commissioned Officer or Soldier by directing that he be Dismissed from the service; or suffer Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid.) for any period not exceeding that for which he shall have been Sentenced to such Imprisonment with Hard Labour.

ARTICLE 77.

A District, or Garrison Court Martial shall consist of not less than Seven Commissioned Officers, except in situations where that number cannot be conveniently assembled, when such Court may consist of not less than Five Commissioned Officers. And such District, or Garrison Court Martial may be composed of Officers of the same Regiment, and shall be assembled in confirmity with the orders of the Commander in Chief.

And the Sentence of a District, or Garrison Court Martial shall be confirmed by the Commander in Chief, or by some Officer duly authorized to confirm the same.

Commutation of Sentence.

And the Commander in Chief is empowered to remit, or mitigate, or commute the Sentences of such Courts Martial, in the same manner as the Sentences of General Courts Martial; and to delegate to or withhold from Commanding Officers the power of convening such Courts Martial, and of confirming, remitting, mitigating, or commuting the Sentences of such Courts (not including forfeiture of pay or pension or other advantage), as the Commander in Chief may deem to be most expedient.

And in case of any Sentence, including forfeiture of additional Pay or of Pension on Discharge, or of any prospective advantage, such Sentence shall not be carried into effect until confirmed by the Commander in Chief; and all forfeitures of any present or prospective advantage shall be restorable by the same authority.

Powers of a District or Garrison Court Mortial. * ARTICLE 78.

A District or Garrison Court Martial may Sentence any Non-Commissioned Officer to be Reduced to the ranks,—or may Sentence any Non-Commissioned Officer or Soldier to be Dismissed from the Service; or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing;) or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment with or without Hard Labour not exceeding one year, and to be kept in Solitary Confinement (to be regulated as aforesaid.)

And such Court Martial may, in addition either to Corporal Punishment or to Imprisonment as aforesaid, Sentence a Soldier to forfeiture of all advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued

from the length or nature of his former service, or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages not exceeding half of his Pay and Allowances, until the amount of such loss or damage be made good.

ARTICLE 79.

A Regimental Court Martial shall consist of not less than Five Commissioned Officers, (unless it be found impracticable to assemble that number, when Three may be sufficient:) and shall be assembled by order of the Officer Commanding the Regiment. And no Sentence of a Regimental Court Martial shall be of force until the Commanding Officer shall have confirmed the same. Provided that such Commanding Officer shall have power to remit all Sentences whatever passed by such Court, and thereupon to cause the offender to be released and to return to his duy.

Commutation of Sentence.

And such Commanding Officer shall have power to confirm and carry into effect or to mitigate all Sentences whatever passed by such Court; and to commute a Sentence of Carporal Punishment to Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid,) for any period for which such Court is competent to Sentence an offender to suffer Imprisonment and in the same manner; and to mitigate a Sentence of Dismissal in the case of a Non-Commissioned Officer, to Reduction to the Ranks;—and to commute a Sentence of Imprisonment with Hard Labour, to Dismissal; or to mitigate such Sentence to Reduction to the Ranks; or to Imprisonment without Hard Labour.

Powers of a Regimental Court Mortial. • ARTICLE 80.

A Regimental Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks;—or may sentence any Non-Commissioned Officer or Soldier to be dismissed from the service;—or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,)—or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment, with or without hard labour, for any period not exceeding six calendar manths; and to be kept in solitary confinement (to be regulated as aforesaid.)

Any such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages not

exceeding half of his Pay and Allowances, until the amount of such loss or damage be made good.

ARTICLE 81.

An Officer Commanding any Detachment of his own Regiment, may assemble Regimental Detachment Courts Martial;—and an Officer Commanding a Detachment consisting of men of different Corps, may assemble Detachment or Line Courts Martial;—and all such Courts shall be constituted in the same manner as Regimental Courts Martial under the provisions of these Articles of War, and shall have the like powers.

And the provisions of these Articles of War relating to Courts Marrial held in Regiments, shall be taken to apply to Courts Martial held in Detachments, in all practicable cases.

Provided that no Officer on detached Command of less than four Troops or Companies, or of Detachments numerically equal to four Troops or Companies, and not being on the line of march or on board any ship or other ves-el, shall carry into effect any punishment awarded by a Court Martial held by his order, until the Sentence shall have been confirmed by the Officer Commanding the Regiment to which the offender belongs, or by the nearest Superior Officer holding a Command of not less than a Regiment; - (who is hereby authorized to confirm the same, in like manner, as an Officer Commanding a Regiment is empowered to do;) -Except in detached situations beyond Sea or out of the British Territories, or when on Service in the field, or in cases where an immediate example is necessary and reference cannot be made to such Commanding or Superior Officer without detriment to the Service; when the Officer Commanding such Detachment may exercise the powers which are vested in an Officer Commanding a Regiment.

ARTICLE 82.

At all Courts Martial, it shall be competent to the Officer convening the Court to instruct the Court, that, should the Prisoner be found guilty, and Imprisonment form a part of the Sentence, no portion of the Imprisonment should be Solitary;—or, should Corporal Punishment be awardable to the offender, that it shall not be awarded in the particular case; and the Court will govern itself accordingly; and such instruction shall be in writing, and shall be attached to the proceedings of the Court.

Execution of Sentences of Courts Martial. ARTICLE 83.

In every sentence of Death awarded by a General Court Martial, the Court shall specify that the offender shall "suffer death by being hanged by the neck until he be dead," or "by being shot to death," as the Court in their discretion shall deem expedient; and such sentence, if confirmed, shall be carried into effect accordingly.

ARTICLE 84.

Whenever the sentence of a General Court Martial shall adjudge Transportation, or sentence of Death shall be commuted by competent authority to Transportation, any of the Sudder Courts shall give effect to such sentence, or commuted sentence, on the same being certified to the Court under the authority of the Commander in Chief.

And whenever any sentence of a Court Martial shall adjudge Imprisonment with hard labour, or with Solitary confinement, or both, or whenever the sentence of a Court Martial shall be commuted

to any such Imprisonment, it shall be the duty of every Judge, Magistrate, Sheriff, or other Officer in charge of a Jail, to give effect to such sentence, on the offender being delivered into his custody, and on being furnished with a copy of the sentence by the Officer Commanding the Station or Regiment or Detacument, within which the trial is held.

ARTICLE 85.

Whenever any Soldier shall be sentenced to Imprisonment for life, or a sentence of Death shall be commuted to Imprisonment for life, it shall be lawful for the Commander in Chief to order such offender to be Transported beyond sea for life, and such order shall thereupon be made, unless there should be special reasons inducing the Commander in Chief to think such prisoner not a proper subject for Transportation.

ARTICLE 86.

Persons sentenced to Imprisonment by Courts Martial shall be imprisoned in any public prison or in any other fit place which the Commander in Chief shall from time to time direct.

ARTICLE 87.

Every Soldier sentessed to Imprisonment with hard labour, shall, previous to undergoing such punishment, be struck off the strength of his Corps from the date of confirmation of such sentence; and no Soldier who has undergone such punishment for any period shall be capable of being re-admitted in the ranks, or of receiving pension on discharge.

ARTICLE 88.

Offenders sentenced to Dismissal for disgraceful conduct;

And offenders subject to Corporal Punishment, or to Imprisonment with hard labour for disgraceful conduct shall, on any such sentence being confirmed, be Dismissed with Ignominy.

ARTICLE 89.

In every case wherein a fine, or forfeiture of arrears of pay, or stoppages shall be adjudged by a Court Martial, any pay or public money due to the offender, or that may become due to him, shall be available, with the sanction of the Commander in Chief, for the payment of the amount so adjudged.

And no Soldier sentenced to pay a fine or to stoppages to make good any loss or damage arising out of his misconduct, shall be continued under forfeiture or stoppages under any one such sentence for any period exceeding one year; and no Soldier shall be at any one time placed under forfeiture or stoppages exceeding in the whole the amount of half of his Pay and Allowances, nor be liable to be put under stoppages prospectively while actually under stoppages to the amount of half of his Pay and Allowances.

Forms of Proceeding. ARTICLE 90.

Trials by Courts Martial may be carried on between the hours of six in the morning and four in the afternoon, and not otherwise, except incases which may require an immediate example.

ARTICLE 91.

At General Courts Martial a Judge Advocate, or an European Officer of not less than ten years service, shall be appointed to conduct the proceedings.

At all Courts Martial inferior to General, an European Officer of not less than four years

standing in the service, except in cases where no Officer of that standing may be available, or the Adjutant of the Regiment, shall be appointed to conduct the proceedings.

ARTICLE 92.

An Interpreter shall be appointed to all Courts Martial; and any Interpreter or other competent person available at the Station where the Court Martial may sit shall be appointed as occasion may require by the Officer Commanding at such Station, on application from the Judge Advocate or Superintending Officer at such Court Martial. But in situations where the services of an Interpreter or other competent person are not available, the Superintending Officer at the Court Martial shall perform the duty of Interpreter.

ARTICLE 93.

At all Courts Martial the Senior Officer shall sit as President without being so appointed by Warrant. Provided that all Subadar Majors are to take precedence according to the dates of their Commissions, and above all Native Officers holding the rank of Subadar or Jemadar; and that Sirdar Bahadoors and Bahadoors shall rank only according to their respective Commissions of Subadar Major, Subadar, or Jemadar. Rissaldars and Rissaldars will take rank with Subadars, and Naib Rissaldars with Jemadars, according to the dates of their respective Commissions.

In case of the death or unavoidable absence of the President, the next Senior Member shall take the place of President, and the trial shall proceed, provided that the Court shall still consist of at least the number of Members of which such Court is directed to consist by these Articles of War.

ARTICLE 94.

No Finding or Sentence of a Court Martial shall be revised more than once, and no Evidence shall be received on such revision. For the purpose of such revision the President and all the Members shall be convened if possible. But if any of them should be unavoidably absent, the remaining Members may proceed with such revision, provided they are not fewer than the smallest number directed in these Articles respectively. When all the same Members do not meet, the circumstances are to be duly certified on the face of the proceedings.

Manner of Voting.

ARTICLE 95.

All the Members of a Court Martial are to preserve order, and in giving their votes upon all matters are to begin with the youngest; and in all cases where a sentence of death may not be awarded, the decision shall be by the majority of Members present, provided the number of Members present be not less than that required by the preceding Articles; but in case of an equality of votes, the decision shall be in favor of the prisoner; the President at a Court Martial shall vote with the other Members, but shall have no casting vote. Provided, that in cases of an equality of votes upon other questions than the finding and the sentence, the President shall have a casting vote.

ARTICLE 96.

No sentence of death shall be given against any offender by a Court Martial, unless two-thirds of the Members present concur therein, or four where the Court consist of five Members, or five where the Court consist of seven.

Affirmations. ARTICLE 97.

On the assembly of a Court Martial, the Judge Advocate or Superintending European Officer shall administer to the Interpreter the following Solemn Affirmation:

"I, A. B, solemnly affirm in the presence of Almighty God, that I will faithfully interpret and translate the proceedings of the Court, and that I will not divulge the sentence until it shall have been published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court unless required to give evidence thereof by a Court of Justice or Court Martial, in due course of Law."

In case of the unavoidable absence of an Interpreter, the European Superintending Officer of a Court Martial inferior to General, shall make the the Solemn Affirmation prescribed for the Interpreter.

The Judge Advocate or Superintending Officer shall then cause the following Solemn Affirmation to be made by each Member:

"I, A. B., solemnly affirm in the presence o "Almighty God, that I will duly administer justice according to the Articles of War, without partiality, favour, or affection, and, if any doubt shall arise, then, according to my conscience, the best of my understanding, and the custom of War in the like cases, and that I will not divulge the sentence of the Court until it shall be published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or a "Court Martial in due course of Law."

The following Solemn Affirmation shall then be administered by the Interpreter to the Judge Advocate or Superintending Officer:

"I, A. B., solemnly affirm in the presence of Almighty God, that I will not upon any account whatsoever disclose or discover the vote or opinion of any particular Member of the Court Martial, unless required to give evidence thereof as a witness by a Court of Justice, or a Court Martial in due course of law, and that I will not, unless it be necessary for the due discharge of my official duties, disclose the sentence of the Court, until it shall be published by authority."

Provided, that it shall be necessary to re-administer these Solemn Affirmations on the commencement of fresh trials before the same Court.

ARTICLE 98.

All persons who give evidence at a Court Martial are to be examined on Oath according to the forms of their respective religions or on Affirmation—and persons of the Hindoo or Mahomedan persuasion and other persons making Affirmation, shall make Affirmation to the following effect:

"I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth."

And if any person making such Affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn would have amounted to perjury, every such offender shall be subject to the same punishment to which persons convicted of perjury are subject.

Summoning Witnesses not amenable to these Articles

In all cases where persons required as witnesses before a Court Martial, may not be amenable to Military Law, the Judge Advocate or Commanding Officer shall transmit to the Magistrate within whose jurisdiction the witness may reside, his summons for the attendance of such person, and the Magistrate shall cause the witness to be duly summoned.

Powers and Duties of Provost Marshals. ARTICLE 100.

For the prompt and instant repression of all irregularities and crimes which may be committed by Troops in the Field and on the Line of March, Provost Marshals shall be appointed by the Commander in Chief, and their Powers shall be regulated according to the established Usages of War and Rules of the Service; their duties are to take charge of Prisoners confined for offences of a general description; to preserve good Order and Discipline; to prevent Breaches of both, by Soldiers and Followers of the Army, and to punish on the spot, on the same day, those whom they may find in the immediate act of committing Breaches of good Order and Military Discipline; Provided, that the punishment be limited to the necessity of the case, and shall accord with the orders which the Provost Marshals may from time to time receive from the Commander of the Forces in the Field, and that whatever may be the crime, the Provost Marshal or his Assistant shall see the offender commit the act, for which summary punishment may be inflicted, or if the Provost Marshal or his Assistant should not see the offender actually commit the crime, but that sufficient proof can be established of the offender's guilt, a Report shall be made to the Commander of the Army in the Field, who is hereby empowered to deal with the case as he may deem most conducive to the maintenance of good Order and Military The duties of Provost Marshals being Discipline. limited to the punishment of offenders whom they may detect in the actual commission of any crime, the General Commanding the Forces in the Field will cause them to exercise the powers entrusted to them in such manner and under such circumstances as he may consider best calculated to prevent and instantly to repress crimes injurious to the Discipline of the East India Company's Army and the Public Service.

Trials by European Courts Martial. ARTICLE 101.

At any Presidency where the Native Troops have hitherto been authorized to claim to be tried by European Courts Martial, every person amenable to these Articles of War, and who may be under orders for trial by a Court Martial, shall have the right to claim to be tried by European Officers; and should he make such claim, the Court, whether General, District, or Garrison, or Regimental, shall be composed of European Commissioned Officers, and the number of Members and the proceedings shall be governed in all respects by the provisions of these Articles.

And it shall be competent to the Governor General of India in Council by a General Order to authorize the Native Troops of any of the Presidencies to claim to be tried in like manner by European Courts Martial.

SECTION IV.

Effects of the Dead. * ARTICLE 102.

When any Officer or Soldier, or any person receiving public pay drawn by any Officer in charge of a Public Department belonging to the Army, may die, or be killed in the service, the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, shall, if no Heir or Executor be present, secure his Effects, and direct an inventory thereof to be taken, a duplicate of which is to be lodged in the Office of the Adjutant, or Officer in charge of the Department.

* ARTICLE 103.

If there be no Heir or Executor on the spot, the Effects are to be publicly sold; the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, after discharging the debts of the deceased, viz. the expense of Funeral Ceremonies, his Debts in Camp or Quarters, and Regimental Debts of every description, shall account for the residue to the Heir or Heirs declared by Will, whether written or verbal, or nominated in the Regimental Register, or in failure of such to the legal representative of the deceased; and in the event of no Executor, Heir, or other representative of the deceased attending and establishing his claim within twelve months from the date of the casualty, the amount in the hands of the Officer having charge of the Estate, is to be remitted to the General Treasury at the Presidency.

SECTION V.

Miscellaneous.

ARTICLE 104.

The Effects of Deserters are to be publicly sold, and the proceeds after payment of Regimental Debts, remitted by the Officer Commanding the Corps to which the Deserter belongs, to the General Treasury at the Presidency, or appropriated according to the rules obtaining at such Presidency.

ARTICLE 105.

All powers and provisions contained in these Articles relating to the Commander in Chief, shall be construed to extend to the Commander in Chief at any Presidency, and to the Officer Commanding the Forces for the time being at any Presidency, unless when otherwise provided.

All powers and provisions contained in these Articles relating to Soldiers, shall be construed to extend to Non-Commissioned Officers, unless when otherwise provided.

ARTICLE 106.

When any portion of the Troops belonging to one Presidency shall be serving within the limits of another Presidency, such Troops shall be considered as placed, during such service, under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency within which they are serving, for all the purposes of these Articles of War, in the same manner as though they belonged to such Presidency; and all the provisions of these Articles of War, which relate to the trial and punishment of offenders belonging to the Presidency within which the trial is held, are hereby declared applicable to the trial and punishment of offenders amenable to

these Articles of War serving within such Presidency. Provided always, that it shall be lawful for the Governor General in Council in his executive capacity, to direct that the Troops, or any part thereof of any Presidency, whilst serving without the limits of such Presidency shall continue under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency to which they belong for all purposes of these Articles.

ARTICLE 107.

Any Officer Commanding any portion of the East India Company's Troops which may at any time be serving in any place out of Her Majesty's Dominions, or of the Possessions or Territories which are or may be under the Government of the said Company, or of the Territories of those States in alliance with the said Company in which the said Company's Forces are permanently stationed, shall, upon complaint made to him of any offence committed against the property or person of any inhabitant or resident in any such countries, by any person serving with or belonging to the Company's Army, being under the immediate Command of any such Officer, summon and cause to assemble a General Court Martial, which shall consist of not less than three Officers, for the purpose of trying any such person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts Martial; and every such Court Martial shall have the same powers in regard to summoning and examining witnesses, trial of, and sentence upon any such offenders as are granted by these Articles to General Courts Martial; provided that no sentence of any such Court Martial shall be executed until the General Commanding in Chief the Army to which the Division, Brigade, Detachment, or Party to which any person so tried, convicted and adjudged to suffer punishment shall belong, shall have approved and confirmed the same; except where such sentence shall not exceed the powers granted by these Articles to a District, or Garrison Court Martial, in which case the Officer by whom the Court is convened is hereby authorized to confirm or commute, or mitigate, or remit the same; reporting the proceedings to the said General Commanding in Chief.

ARTICLE. 108.

General Courts Martial only shall have the power to try Commissioned Officers; or to pass Sentence of Death or Transportation on any offenders.

ARTICLE 109.

No person, being acquitted or convicted before a Court Martial of any offence, shall be liable to be tried a second time by the same or any other Court Martial for the same offence. Provided always, that after a Soldier shall have been found guilty by a Court Martial of any military offence, such Court Martial shall inquire into and receive evidence of any previous conviction of such Soldier before a Court Martial or a Court of Justice, and shall enquire into the general character of such Soldier; for the purpose of affixing the punishment to which he is liable to be sentenced for the offence of which he has been so found guilty.

offence of which he has been so found guilty.

Provided that no such evidence shall in any case be received until the Court shall have ascertained that such Soldier had previously to his trial received notice of the intention to produce such evidence on the same. And it is hereby directed that such notice shall be given to all Soldiers previous to trial.

* ARTICLE 110.

No Non-Commissioned Officer shall be Reduced to the ranks but he the sentence of a Court Martial, or by order of the Commander in Chief of the Presidency to which the offender shall belong. Provided that no Non-Commissioned Officer shall be Reduced to the ranks for any limited period; nor Suspended from his rank; nor Reduced from a higher to a lower grade of Non-Commissioned Officer; nor sentenced to suffer Corporal Punishment or Imprisonment, without being first Reduced to the ranks.

* ARTICLE 111.

Any Officer or Soldier thinking himself wronged by his Superior or other Officer is to complain thereof to the Commanding Officer of his Troop or Company, by whom if the grievance be not redressed, such Officer, Non-Commissioned Officer, or Soldier, may complain to the Commanding Officer of his Regiment, who is hereby required to examine into such complaint, or remit it to his superior authority as the circumstances may require; but if the complaint should appear to be frivolous or groundless, the party preferring it shall be liable to be punished according to the sentence of a General or other Court Martial in manner hereinbefore mentioned; provided that such offender shall not be liable to be sentenced to Dismissal, nor to suffer Corporal Punishment or Imprisonment with hard labour.

ARTICLE 112.

In case of light offences, a Commanding Officer may, without the intervention of a Court Martial, award extra drill with or without pack for a period not exceeding fifteen days; restriction to Barrack limits not exceeding fifteen days; confinement in the Quarter Guard or Defaulter's Room, not exceeding seven days; removal from Staff situations or acting appointments; or may order Soldiers to be employed in piling and unpiling shot; and in cleaning accourrements of men in Hospital; but none of these descriptions of punishment shall be awardable by Sentence of a Court Martial. And a Commanding Officer may award solitary confinement not exceeding seven days.

Provided that Soldiers in confinement shall be liable to be ordered to attend ordinary drill.

ARTICLE 113.

Any Officer, or Soldier, who shall be taken prisoner by the Enemy, shall forfeit all claim to pay and allowances during the period of his remaining a prisoner and until he shall again return to the service; when, if he can establish, before a Court Martial, that he was unavoidably taken prisoner in the course of service, and resisted as long as he was able, and that he hath not served with or assisted the Enemy, and that he hath returned as soon as possible to the service, he shall be entitled to receive either the whole, or such portion of his arrears of pay and allowances as the Government of the Presidency to which he may belong shall determine, after the opinion or finding of such Court Martial shall have been confirmed by the Commander in Chief. And every Officer or Soldier in imprisonment under the sentence of a Court Martial, or a commuted sentence, or under the sentence of a Court of Criminal Judicature, shall, during the term of such imprisonment, receive subsistence only, to the amount of his pay proper, according to the rates of Pay granted to Officers and Soldiers of the Bengal Army.

EECTION VI.

Mode of dealing with offences not Military. ARTICLE 114.

In all places within the jurisdiction of any Civil Judicature, established by appointment of Her Majesty or of the said Company, Officers and Soldiers accused of capital crimes, or of violence, or of offences against person and property, punishable by such Civil Judicature, shall be delivered over to a Magistrate to be proceeded against according to Law.

And all Officers and Soldiers are hereby required to assist the Officers of Justice in apprehending and securing any person so accused.

Crimes to be tried by Courts Martial where no regular Criminal tribunals exist.

In any place within the limits of the Charter of the East India Company, whether in or out of the British Territories, where there may be no Civil Judicature appointed by Her Majesty or the said Company for the trial of persons accused of offences ordinarily cognizable by Civil Tribunals, such offences when committed by Officers or Soldiers shall be cognizable by Courts Martial.

ARTICLE 116.

General Courts Martial shall have cognizance ordinarily, of offences punishable with Death; Transportation for Life;

Imprisonment for Life;

Imprisonment for a period which may extend to fourteen years;

Imprisonment for a period which may extend to seven years.

ARTICLE 117.

District, or Garrison Courts Martial shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period which may extend to three years, and, by special order, of offences ordinarily cognizable by General Courts Martial not liable to the punishment of Death or Transportation, with power to sentence persons convicted of such offences to Imprisonment for any period not exceeding three years

ARTICLE 118.

Regimental, Detachment, or Line Courts Martial, shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period not exceeding six calendar months, and, by special order, of offences ordinarily cognizable by District, or Garrison Courts Martial, with power to sentence persons convicted of such offences to Imprisonment for a period not exceeding six calendar months.

General Courts Martial.

Punishment of Death. ARTICLE 119.

Any Officer or Soldier who shall he convicted by a General Court Martial of the crime of "Murder" shall be sentenced to suffer Death by being hanged by the neck until he be dead.

If any injury intended against one person shall, through mistake or accident, light upon another person, and kill him, such killing shall be deemed to be murder, whensoever it would have been murder had the person against whom such injury was intended been killed.

Whensoever death shall result from any injury wilfully caused by an offender, but without his intending such injury to light on any person in particular, such offender shall be guilty of murder, if the offence would have been murder had he intended to do the injury to the person killed.

Offences punishable by Transportation for Life. ARTICLE 120.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences hereinafter mentioned, accompanied with an attempt to commit murder, or with wounding or other Corporal injury to any person endangering the life of such person: That is to say,

1st.—Breaking, or attempting to break, by day or night, into any Dwelling House, Tent, Boat, or other habitation, or into any building or place used for the preservation of property, with the intent to rob or steal.

2nd.—Robbery or attempt to rob;

3rd.—Stealing or attempting to steal in a house, or from the person;

Shall be Sentenced by such General Court Martial to Imprisonment with or without hard labour and Transportation for life.

Offences punishable by Imprisonment which may extend to fourteen years

ARTICLE 121.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences specified in the last Article, accompanied with wounding or other Corporal injury to any person not endangering the life of such person;—— or

ARTICLE 122.

Of wounding, or administering poison with intent to murder, whether the person wounded or to whom poison is administered, be the person whom the offender intended to murder or another; —— or

ARTICLE 123.

Of Robbery by open violence, or Dacoity, that is to say, going forth in the day or in the night with an offensive weapon, or in a gang with or without an offensive weapon, with the intention of committing robbery, and by force or intimidation robbing or attempting to rob any person in any place, or attacking by open violence any house, or place of habitation, or any place in which property may be kept, for the purpose of robbery;—— or

ARTICLE 124.

Of breaking, or attempting to break, into any Dwalling House, Tent, Boat, or other place of habitation, between sunset and sunrise, with intent to rob or steal;—— or

ARTICLE 125.

Of breaking into any such place of habitation, or into any place used for the preservation of property, and stealing therefrom property the value of which shall exceed One Hundred Company's Rupees; —— or

ARTICLE 126.

Of purchasing or receiving plundered or stolen property, knowing it to have been obtained by robbery by open violence, or by theft or robbery aggravated as described in Article 120 or Article 121:

Shall be sentenced by such General Court Martial to Imprisonment with or without Hard Labour for a period not exceeding fourteen years.

Offences punishable by Imprisonment not exceeding seven years.

ARTICLE 127.

Any Officer or Soldier who shall be convicted by a General Court Martial of culpable Homicide not amounting to wilful murder; —— or

ARTICLE 128

Of premeditated affray, attended with Homicide, or severe wounding, or other aggravating circumstance;—— or

ARTICLE 129.

Of intentionally wounding, maiming, or otherwise doing Corporal injury to any person; —— or

ARTICLE 130.

Of accidentally wounding, maining, or otherwise doing Corporal injury to any person, with the intention of doing such injury to another person;

ARTICLE 131.

Of breaking into any Dwelling House, Tent, Boat, or other place of habitation, or into any place used for the preservation of property, between sunrise and sunset, with intent to steal therein;
—— or

ARTICLE 132

Of stealing from any habitation, or from any person, any property exceeding Three Hundred Company's Rupees in value; —— or

ARTICLE 133.

Of having purchased any property so stolen, exceeding in value Three Hundred Company's Rupees, knowing it to have been stolen; —— or

ARTICLE 134.

Of Arson; --- or

ARTICLE 135.

Of an unnatural crime; ---- or

ARTICLE 136.

Of Rape; --- or

ARTICLE 137.

Of enticing and taking away, or of causing to be enticed or taken away for any unlawful purpose, any unmarried woman under the age of fifteen years;—— or

ARTICLE 138.

Of stealing a child under the age of eight years;

ARTICLE 139.

Of counterfeiting, or causing or procuring the fraudulent fabrication or alteration of any written deed, or printed paper, of any description; or any counterfeit seal or signature thereto; or the illicit imitation of any public stamp or stamped paper, established by Government; or of fraudulently issuing and publishing as true, or of fraudulently giving effect, or attempting to give effect, to fabricated deeds and papers, knowing them to be forgeries; or of using, selling or disposing of such stamped paper, knowing the same to be counterfeit; —— or

ARTICLE 140.

Of forging or procuring to be forged any counterfeit Coin, in imitation of any of the Gold, Silver or Copper Coin of the British Government in India; or of any Coin usually received as money in the British Territories; or of clipping, filing, drilling or defacing any such Coin; or of paying or tendering in payment counterfeit Coin, Bank Notes or other Securities for money, knowing the same to be counterfeit, although such Notes or Securities shall be incomplete;

Shall be Sentenced by such General Court Martial to suffer Imprisonment with or without Hard Labour, for any period not exceeding seven years.

District or Garrison Courts Martial,

Offences punishable by Imprisonment not exceeding three years.

ARTICLE 141.

It shall be competent to the Commander in Chief, and to any Officer having authority to convene District or Garrison Courts Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which the punishment of Death, or Imprisonment or Transportation for Life is not provided therein, to be tried for such offences before a District, or Garrison Court Martial, and such Court shall have power, on conviction, to sentence any such offender to Imprisonment with or without Hard Labour for any period not exceeding three years.

ARTICLE 142.

Any Officer or Soldier who shall be convicted by a General, District, or Garrison Court Martial, of stealing from any habitation, or from the person, any property, of value not exceeding Three Hundred Company's Rupees but exceeding Fifty Company's Rupees;—or

ARTICLE 143.

Of having purchased or received any stolen property of value not exceeding three Hundred Company's Rupees, knowing it to have been stolen, but not under aggravating circumstances;

ARTICLE 144.

Of having stolen property in his possession, and of having kept possession of such property after becoming aware of its having been stolen;

Shall be sentenced by such Court to suffer Imprisonment with or without Hard Labour for any period not exceeding three years.

Regimental, Detachment, or Line Courts Martial.

Offences punishable by Imprisonment not exceeding six months.

ARTICLE 145.

It shall be competent to any Officer having authority to convene a Court Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which no punishment exceeding Imprisonment with Hard Labour for three years is therein provided, to be tried before Regimental, or Detachment, or Line Courts Martial, and any such Court shall have power, on conviction, to sentence any such offender to suffer Imprisonment with or without Hard Labour for any period not exceeding six calendar months.

Offenc's punishable by Imprisonment from six months to one year, according to the description of the

ARTICLE 146.

Any Officer or Soldier who shall be convicted of stealing property to the value of Fifty Company's Rupees, or of less value;—or

ARTICLE 147.

Of Assault or Affray, unattended with Homicide, severe wounding, or aggravating circumstances:

Shall be sentenced to suffer Imprisonment with or without Hard Labour, for any period not exceeding one year, by the award of a General, or District, or Garrison Court Martial; or, for any period not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

Offences punishable by Imprisonment from six months to two years, according to the description of the Court.

ARTICLE 148.

Any Officer or Soldier who shall be convicted of resisting the process of a Magistrate or Police Officer;—— or

ARTICLE 149.

Of having committed any offence against person or property for which provision is not already made in the preceding Articles of War;

Shall be sentenced to suffer Imprisonment for any period not exceeding two years, by the award of a General Court Martial; not exceeding one year, by the award of a District, or Garrison Court Martial; and not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

ARTICLE 150.

Any Officer or Soldier who shall be convicted by a General, or District, or Garrison, or Regimental Court Martial, of having been present, aiding and abetting, or of having caused, instigated, or procured, the commission of any of the offences specified in any of the preceding Articles, shall be sentenced by such Court to the punishment therein provided for such offence, and awardable by General, or District or Garrison, or Regimental Courts Martial, respectively.

ARTICLE 151.

No sentence of Death shall be carried into effect until confirmed by the Commander in Chief, nor, if the trial shall have been held within the British Territories forming part of either of the Presidencies of Fort William, Fort St. George, and Bombay, respectively, until such confirmation shall have been concurred in by the Government of the Presidency where such trial shall have been held.

ARTICLE 152.

The Commander in Chief is authorized at his discretion to confirm any sentence of Death, or to remit such sentence, or to commute it into Imprisonment with hard labour and Transportation for life, or into Imprisonment with hard labour for any term of years.

ARTICLE 153.

No sentence of Transportation shall be carried into effect until confirmed by the Commander in Chief, and the Commander in Chief is authorized at his discretion to confirm any such sentence, or to commute it into Imprisonment with or without hard labour for any period of time.

ARTICLE 154.

It shall be competent to any Officer having authority to confirm the sentence of a General or other Court Martial to remit any sentence passed by such Court Martial, or to mitigate such sentence by substituting simple Imprisonment for Imprison-

ment with hard labour, or by reducing the period of Imprisonment, or by directing the discharge of the offender in lieu of any Imprisonment.

ARTICLE 155.

A person who may have been tried for any offence by a Court Martial under the authority of these Articles of War, shall not be tried for the same in any other Court whatsoever, and no person who shall have been acquitted or convicted of any offence by a Court of Civil Judicature shall be punished by a Court Martial for the same, otherwise than by Cashiering or Dismissal from the service.

ARTICLE 156.

The Regulations at present in force at any Presidency, by which the office and powers of Commissariat Officers, or Officers in charge of the Police, or Superintendents of Bazars, are defined and controuled; or by which Punchayets are constituted and guided; or by which jurisdiction is given to Courts Martial over offences committed by persons amenable to the Articles of War, within certain limits beyond or around Cantonments; are hereby declared to be in full force, and the same shall continue to be observed at the several Presidencies respectively.

SECTION VII.

Application of the Articles.
ARTICLE 157.

All Officers and Soldiers, all Drivers, Farriers, Trumpeters, and Drummers; all unattested Re-

cruits; all Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers; all Artificers and Labourers, Suttlers, Followers, public and private, or others attached to or serving with any part of the Army, are to be governed by these Articles and subject to trial by Coarts Martial.

Provided, that persons of European descent, (whether on the side of their father or mother) professing the Christian religion, shall not be amenable to these Articles; but if belonging to the descriptions mentioned in this Article, (and not being Her Majesty's natural born subjects born in Europe, or the children of such subjects,) shall be tried and punished in the same manner as persons are who are subject to the Mutiny Act and Articles of War in force for the better government of the European Officers and Soldiers in the Service of the East India Company.

Promulgation of the Articles.

ARTICLE 158.

These Articles are to be translated into the several languages of the different Presidencies, and the parts following, viz. the second Section, together with the following Articles in other Sections which are marked with an * (Asterisk), viz. 2, 4, 75, 78, 80, 102, 103, 110, and 111, are to be read once every three months at the head of every Regiment, Troop or Company mustered in the service and to every Recruit at the period of his attestation.

G. A. Bushby, Secy. to the Govt. of India.



The Calcutta Gazette.

Published by Authority.

er It is requested that Government Notifications for the Calcutta Gazette, of any length may be sent to the Press by NOON of TURSDAWS and PRIDAWS; and these of a few lines only, before 5 p.m. of these days.

SATURDAY, DECEMBER '26, 1847.

Garrison Orders by the Right Howelle the Governor.

Fort William, 25th December, 1847.

The whole of the Troops in Garrison, as well as the Town Guards, leaving Sentries standing, will hold themselves in readiness, to turn out in Full Dress at such time and in such manner, as will be hereafter directed, to receive THE RIGHT HONORABLE THE EARL OF DALHOUSIE, whose arrival may be now daily expected.

The whole of the Garrison and General Staff, as well as other Officers, on duty at the Presidency, are directed to be in attendance at Government House on the occasion.

LORD DALHOUSIE'S arrival at Kedgeree will be announced by a Signal of THREE GUNS, fired from the DUKE OF YORK'S BASTION.

By Command,

GEORGE WARREN, Lieut.-Col.,

Town Major.

No. 7.

Fort William, Financial Department, the 12th March, 1847.

Notice and that in addition to the sum of £800,000 advertized on the 5th October last, as to be provided in India for the service of the Home Treasury during the course of the official year 1846-47, and of which the larger proportion has already been purchased, a further amount of £455,000, being the unsupplied balance of the year 1844-45, will, in pursuance of instructions received from the Homele the Court of Directors, be raised on the hypothecation of Goods either wholly within the remainder of the current official year, should the trade of Indiarequire it, or in portions within the present and the ensuing official years, viz. 1846-47 and 1847-48, and that in addition thereto a still further sum of £600,000 will be raised in India for the service of the Home Estagary by bills on the hypothecation of Goods living the course of the official year 1847-48 in fill, so far as is at present known of the requirements of the Home Treasury up to the 30th April 1845.

Advances of Cash will accordingly be made for this purpose by the Governments of Bengal, Madran and Stantian, and the rate of Rushanov at which Bills are to be drawn, will continue to be Two Shillings per Company's Rupee until further notice. In all other respects the existing terms and conditions of the Advances to be made by the respective Governments will remain in force, and be the same as published in the Calcutta Gazette under dates the 1st April 1842 and the 23d August 1844.

Published by order of the Hon'ble the President of the Council of India in Council,

J. A. DORIN, Secy. to the Gont. of India.

No. 22

Fort William, Financial Department, the 15th:

December, 1847.

Notification.—Notice is hereby given, that the Salaries, Pay, Batta and Allowances of the Civil, Military and Marine Departments for Becember 1847, will be payable as under—

Military and Marine Departments, on Monday, the 10th proximo.

Civil Ditto, on Saturday, the 15th proximo. ... By order of the Right Hon'ble the Governor General in Council,

J. A. DORIN, Secy. to the Gont. of India:

Fort William, Home Department, Legislative, the 18th December, 1847.

The fellowing Draft of a proposed Act was read in Council for the first time on the 18th of December, 1847:

ACT No. --- OF 1847.

An Act for preventing the dangers arising from Gunpowder and Fiveworks within the limits of the Presidency Towns of Calcutta, Madras and Bankbag.

I. It is hereby enacted, that the Rule; Ordinance and Regulation passed by the Governor General in Council on the 8th April, 1802, and Section II. Act XVIII. of 1844, he repealed.

II. And it is bereby enacted, that if any person (unless licenced as acremater provided) shall within the limits of the Presidency Town of Calcutts, Madres or Bombay, manufacture Gunpowder, or have in his possession in any house, shop, werehouse or name buildings at the first time.

greater quantity of Gunpowder for sale or otherwise than ten pounds, he shall, on conviction, before a Magistrate of Police, be liable to a forfeiture of all such Gunpowder so manufactured or possessed, together with the vessel or receptacle in which it may be seized, and also to a fine not exceeding in amount the sum of Rupees Five Hundred.

And it is hereby enacted, that it shall be lawful for the Chief or Senior Magistrate of Police to grant to any person (whom he shall deem fit and proper) a licence for the manufacture of Gunpowder, or for the sale or keeping in deposit within the limits of the Presidency Town of Calcutta, Madras or Bombay, any quantity of imported or Indian manufactured Gunpowder not exceeding fifty pounds on such conditions and subject to such regulations as shall be specified in the licence and shall be approved of by the local Government: and any person who shall be guilty of a breach of any of such conditions and regulations shall, on conviction, before a Magistrate of Police, be liable to a forfeiture of his licence and of all Gunpowder so manufactured, together with all implements used in such manufacture, or so sold or kept in deposit contrary thereto, and also to a fine not exceeding Rupees Two Hundred.

IV. And it is hereby enacted, that no person or persons whatever being a dealer or dealers, or manufacturer or manufacturers of Gunpowder, shall keep at any one time at his or their house, shop, place of manufacture, warehouse or other building, more of the mixed materials required for making Gunpowder than may be sufficient for the manufacture of fifty pounds weight of Gunpowder, and any person or persons who shall be guilty of a breach of this rule shall, on conviction, before a Magistrate of Police, be liable to a forfeiture of his or their licence and of all such mixed materials, together with the vessels or receptacles in which they may be seized, and also to a fine not exceeding Rupees Two Hundred.

V. And it is hereby enacted, that every such licence as is mentioned in Section III. shall be in force for a period of one year only and no longer, but shall be renewable by the said Chief or Senior Magistrate at his discretion on the same or any other terms and conditions, to be subject in like manner to the approval of the local Government, and such licence shall also provide for the transit and carrying of Gunpowder from one place to another within the limits of the said Presidency Town of Calcutta, Madras or Bombay, in such manner and in such quantity as shall be deemed advisable for the safety of the inhabitants and of property within the said Presidency Towns, and every person offending against such provisions shall be liable to a fine not exceeding Rupees Fifty, and every person obtaining such licence as aforesaid, shall pay a fee of Rupees Two for the same to the said Chief or Senior Magistrate to be applied as the fines under this Act.

VI. And it is hereby enacted, that any Magistrate of Police on credible information laid before him on oath or solemn affirmation that Gunpowder or mixed materials for making the same contrary to the provisions of this Act, are suspected to be stored, kept or possessed by any person or persons, may issue his warrant for searching in the day-time any house, shep, magazine or other building or place in which he has reasonable ground to suspect any Gunpowder to be manufactured, sold or kept, or any boat, carriage, cart or other vehicle in which any Gunpowder or materials for manufacturing the same may be suspected to be carried, or

any person or persons suspected of carrying the same contrary to such licence or to the provisions of this Act, and all Gunpowder, or materials for manufacturing the same found on such search shall, together with the vessels or receptacles in which they may be stored be immediately seized by such searcher or searchers and brought before a Magistrate of Police with whom the same shall be kept till it shall be adjudged whether the same shall be forfeited.

VII. Provided, that the preceding Sections of this Act shall not extend to any Government magazine, or store or building for the making or deposit of Gunpowder under the authority or for the use of the Government, or to any Gunpowder for the use of Her Majesty's or the East India Company's Troops, or otherwise for the service of Government, or to any of Her Majesty's Vessels of War, or the Vessels of the Indian Navy or of the East India Company's Marine, or to any other Vessel within the River Hooghly, or the Port Road or Harbour of Madras or Bombay laden with Gun-

powder for importation or exportation

VIII. Provided also and it is hereby enacted, that Commanders of Merchant Vessels entering the River Hooghly shall on or before the arrival of their Vessels off Moyapore deposit in the Magazine at that place all Gunpowder intended for the Ship's use, from on board their respective Vessels, exceeding the quantity of one hundred pounds, which quantity they shall be permitted to retain in their Vessels for the purpose of firing Salutes or Signals in case of distress, and the Gunpowder so deposited shall be again delivered on board on the return of the respective Vessels from Calcutta in prosecution of the outward voyage: and it is hereby enacted, that Commanders of Merchant Vessels in the River Hooghly having on board their Vessels Gunpowder for importation (not being Gunpowder belonging to the Government) exceeding the quantity of fifty pounds, shall deposit the same on or before the arrival of their Vessels off Fort William or the Town of Calcutta in the Magazine at Howrah, under charge of an Officer belonging to the Customs at that place, or such other person as the Governor of Bengal may appoint; and the Proprietors or Consignees of such Gunpowder or their Agents, whenever they shall desire to remove the same from the Mazagine, shall make application to the Collector of Sea Customs for authority to do so, which application when it be intended that such Gunpowder shall be lodged in any place or be laden in any boat or other conveyance within the limits of the Town, shall be accompanied by a written order of permission, signed by a Magistrate of Police to that effect, and when it be intended, that such Gunpowder shall be exported by Sea, the Commanders of Vessels, or the Proprietors or their Agents, by whom it shall have been deposited in the Magazine shall make application to the Collector of Sea Customs for permission so to export it; and the Collector of Sea Customs shall comply with such applications aforesaid, except where the exportation of ammunition shall require, under provisions of Act XVIII. of 1841, a licence from a Public Officer other than the Collector of Sea Customs, in which case the Collector of Sea Customs shall not comply with the application unless it be accompanied by the licence of such Public Officer, and on or before the removal of alleGunpowder from the Magazine, the Collector of Sea Customs shall and he is hereby authorized to levy a fee, the rate of which shall not be exceeding two appear per pound, for all Gunpowder that has been ledged therein; which les, (not to exceed the rate of two annas per nound as aforesaid, and to be regulated

by such Orders as the Governor of Bengal may from time to time issue for the purpose) shall be taken to cover all charges for the safe custody of the Gunpowder during the period it has remained or shall remain in the Magazine. Provided also and it is hereby enacted, that the Governor of Bengal shall be at liberty to authorize such arrangement to be made by letting or otherwise contracting for the custody of the Magazine, and for the collection and appropriation of the fee which may be charged for Gunpowder stored therein as he may think proper, subject, however, to all the restrictions and rules imposed by this Section of this Act in respect to the removal from the Magazine of Gunpowder therein stored.

IX. And it is hereby enacted, that for every act done or omitted to be done contrary to the provisions in the last preceding Section of this Act by the Commander of any Merchant Vessel in the Port of Calcutta the Commander aforesaid shall forfeit the sum of Two Hundred Rupees, and the Collector of Sea Customs is hereby empowered to enforce the said penalty: Provided also and it is hereby enacted, that the Collector shall not grant a Port Clearance for any Vessel in which such penalty shall have been incurred until it have been paid. And the Collector of Sea Customs is hereby empowered to search for any quantity of Gunpowder which he may have reason to believe to be on board a Merchant Vessel in the Port of Calcutta contrary to the provisions of this Act, and to seize it and detain it in the Magazine at Howrah as a forfeiture to the Government to be dealt with as the Governor of Bengal shall think right to direct.

X. And it is hereby enacted, that if any person, except on public festivals or occasions as hereinafter mentioned shall in any highway, street or thoroughfare, or within twenty-five feet thereof, set fire to or wantonly let off or throw any squib or other firework, or send up any fire balloon, or make or assist in making any bonfire within the said Presidency Town of Calcutta, Madras or Bombay, every person so offending shall forfeit and pay a sum not exceeding Rupees Fifty, and if any person shall in any house, shop or other building adjoining to any public road or thoroughfare set fire to or let off any squib or other firework within the said Towns, he shall forfeit and pay a fine not exceeding Rupees Fifty, and if such person be not the owner or occupier of any such house, shop or other building, and have the permission, express or implied of the owner or occupier thereof to set fire to or let off such squib or other firework, then such owner or occupier shall also forfeit and pay a fine not exceeding Rupees Fifty.

XI. And it is hereby enacted, that notwithstanding the provisions in the last Section, it shall be lawful for the Chief or Senior Magistrate of Police on any public festivals or days of private or family rejoicings among the Natives to permit the discharge of fireworks, and the making of bonfires in such places, and at such times and under such restrictions and limitations as to the said Chief or Senior Magistrate may seem fit for the protection of property and the persons of the inhabitants of the said Presidency Town of Calcutta, Madras or Bombay against injury, and for such purpose to issue a Proclamation notifying the conditions on which such permission is granted, and every person convicted before a Magistrate of Police of offending against such Proclamation shall forfeit and pay a sum not exceeding Rupees One Hundred, besides being liable in damages to any party injured thereby either in his person or property.

XII. And it is hereby enagted, that all fines, forfeitures and penalties incurred under this Act may be recovered in the form and mode prescribed by Act No. II. of 1839, and shall be paid into the General Treasury for the benefit of the municipal Funds.

XIII. And it is hereby enacted and declared, that the words Presidency Town of Calcutta, Madras or Bombay, as used in this Act, shall for the purposes of it be held and deemed to include all places within the local limits of the jurisdiction of Her Majesty's Supreme Court of Judicature at the said Presidency Towns.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 18th day of March next.

G. A. Bushby, Secy. to the Govt. of India.

No. 2705.

Orders by the Hon'ble the Deputy Governor of Benyal.

Appointments — The 18th December, 1847.—Mr. W. S. Seton Karr to be Under Secretary to the Government of Bengal.

Mr. J W. Dalrymple to be Assistant to the Magistrate and to the Collector of Jessore, and to officiate till further orders as Under Secretary to the Government of Bengal.

The 22d December, 1847.—Mr. G. G. Mackintosh to officiate as Joint Magistrate and Deputy Collector of Furreedpore, during the absence of Mr. G. C. Fletcher.

Mr G. P. Leycester to officiate as Magistrate of Nuddea, during the absence of Mr. E. T. Trevor.

Mr. R. Alexander, Assistant to the Magistrate and Collector of Balasore, to exercise the powers described in Clause 3, Section 2, Regulation III. of 1821 in that District.

Mr. C. T. Imlay to be a Sub-Assistant Surgeon at Dacca, and to be in charge of the Charity Hospital and Dispensary at that Station.

Mr. John Colpoys Smith, Civil Assistant Sur-

Mr. John Colpoys Smith, Civil Assistant Surgeon of Pooree, to officiate as Assistant Surgeon of Cuttack, during the absence of Dr. E. G. Bidwell.

Leave of Absence.—The 20th December, 1847.—Dr. J. Abbott, in Medical charge of Serampore, for three months, under Medical Certificate.

The 22d December, 1847.—Mr. G. C. Fletcher, Joint Magistrate and Deputy Collector of Furreedpore, for one month.

pore, for one month.

Mr. E. T. Trevor, Magistrate of Nuddea, for one month.

Mr. W. B. Buckle, Joint Magistrate, stationed at Garbetah in Midnapore, from the 14th to the 19th October, on private affairs, in extension of the leave granted to him on the 10th September last.

Mr. R. B. Kinsey, Civil Assistant Surgeon of Tirhoot, for six days, on private affairs, in extension of the leave of absence granted to him on the 13th September last.

Mr. R. Ince, Superintendent of the Chittagong Salt Chokeys and ex-officio Assistant to the Salt Agent, for one month, from the lat proxime, making over charge of the Salt Chokeys to Mr. Elson, the Post Master at Chittagong.

Lieutenant J. Bristow, Post Master of Berhampore, for two months, from the 1st proxime,

The leave of absence granted to Mr. R. H. Russell, Magistrate of Patna, on the 9th ultimo, has been extended to the date of the sailing of the ship " Bucephalus."

Notification .- The 24th December, 1847 .- Mr. C. Bury, Salt Agent and Superintendent of Tumlook Salt Chowkeys, made over charge of his office to Mr. S. Bowring on the 20th instant.

By order of the Hon'ble the Deputy Governor of Bengal,

FRED. JAS HALLIDAY, Secy. to the Gout. of Bengal.

No. 4761 of 1847.

Orders by the Hon'ble the Lieut. Governor of the North Western Provinces.

Head-Quarters, Judicial and Revenue Department, the 18th December, 1847.

Leave of Absence .- Mr. M. Ricketts, appointed in Orders of 15th instant, Assistant to the Commissioner of the Allahabad Division, to remain at Calcutta on private affairs, till the 20th January 1848.

No. 4765 of 1847.

Head-Quarters, Revenue Department, the 6th December, 1847.

The Collector and Deputy Collectors in Zillah Shajehanpoor, are invested with the powers described in Section XX. Regulation VII. of 182?

No. 4766 of 1847.

The Officer in charge of the Medical duties at Shajehanpoor, the Joint Magistrate and Deputy Collector, the Deputy Collector under Regulation 1X. of 1833, and Major Ludlow, Assistant to the Superintendent for the Suppression of Thuggee, are appointed Local Agents under Section 8, gulation XIX. of 1810, in the above named District.

J. THORNTON, Secretary to Govt. N. W. P.

No. 4753 of 1847.

Head-Quarters, the 17th December, 1847.

Leave of Absence. - Mucsood Ali Khan, Uncovenanted Deputy Collector of Allahabad, for fifteen days, on private affairs.

A. SHAKESPEAR, Asst Secy. to Gaut. N. IV. P.

General Orders by the Right Hon'ble the Governor General of India in Council.

Fort William, 24th December, 1847 .- No 391 of 1847.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Appointments:

Brevet Colonel (Brigadier)
A. Campbell, C. B. and K. H., of Her Majesty's 9th Laucers, to Command a Division, with the rank of Brigadier General,

Colonel M. White, C. B., Her Majesty's 3d Light Dragoons, to be a Brigadier of the 2d Class,....

To complete the Establishment, with effect from the date of sailing of the Ves-sel on which Major General Sir J. Grey, K. C. B., may take his passage for Europe.

Captain George Powell Thomas, of the 64th Regiment N. I., has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors. Date of arrival at Fort William, 18th December,

1847.
Major George Moyle Sherer, of the 57th Reas two months leave of absence from the let proximo, to visit the Presidency, on urgent private affairs.

This cancels the leave of absence granted to Majon Sherer, in General Orders No. 323, of the 22d October last.

The undermentioned Officers are permitted to proceed to Europe on Furlough, on private affairs:

Lieut. Deane Christian Shute, of the 19th Regi-

Assistant Surgeon Alexander Cushnie Morison, of the Medical Department.

Lieutenant Colonel William Geddes, C. B., of the Regiment of Artillerv, is permitted to retire from the service of the East India Company, on the Pension of a Colonel, from the 7th proximo.

The following Promotions are made in the Department of Public Works:

Sub-Conductor Edward Rooke to be Conductor, from the 15th ultimo, vice Christopher Woods deceased.

Overseer Modoosoodun Mookerjee to be Assistant Supervisor, from the 25th April last, vice Sub-Conductor J. Pigott deceased.

Overseer Serjeant Daniel O'Brien to be Sub-

Conductor, vice Rooke promoted.

Assistant Overseer Serjeant C. Douglas to be Overseer, vice Modoosoodun Mookerjee promoted. Mr. Assistant Overseer John Walter O'Donnell to be Overseer, from the 23d July last, vice Mr. Peter O'Connor, removed from the Department.

Mr. Assistant Overseer James Rothwell to be

Overseer, vice O'Brien promoted.

Assistant Overseer Bombardier Timothy Fitz-Patrick to be Overseer, vice Mr. G. Thomas resigned.

No. 392 of 1847.—Lieutenant Colonel Charles Graham, C. B., of Artillery, is permitted to retire from the service of the East India Company, on the Pension of a Colonel, from the 1st proximo.

No 893 of 1847 .- Major Frederick Walpole Anson, of the 18th Regiment N. I., Commandant of the 5th Irregular Cavalry, has leave of absence from the 1st proximo to the 31st March 1848, to proceed to Bombay and thence to Europe on Furlough, on private affairs.

Lieutenant Frederick Cooper Tombs, of the

18th Regiment N. I., Sub-Assistant Commissary General, has leave of absence, on private affairs, from the 25th June last to the 15th ultimo, to

enable him to join his appointment.

The undermentioned Officers are permitted to retire from the service of the East India Com-

Major George Chapman, of the Invalid Establishment, from the 12th January 1848, on the Pension of a Colonel.

Captain Charles Lowth, of the 4th Regiment Light Cavalry, (Lancers) from the 1st January 1848, on the Pension of his rank.

No. 394 of 1847.—The Right Honorable the Governor General in Council has, been pleased to make the following Appointments in the Military Board:

Lieutenant A. Dallas, 1st Assistant Secretary, to officiate as Secretary in the room of Major G. T. Greene, nominated to the charge of the Calcutta Mint.

Captain E. W. S. Scott, 2nd Assistant Secretary, to officiate as 1st Assistant Secretary, in the room of Lieutenant Dallas.

Lieutenant C. B. Young, of Engineers, to officiate as 2nd Assistant Secretary, vice Captain

No. 395 of 1847.—The Governor General in Council is pleased to make the following Appointment:

Captain A. Strange, of the 7th Regiment Madras Light Cavalry, to be an Assistant in the Department of the Surveyor General of India, Great Trigonometrical Survey, in the room of Lieutenant Garforth, resigned.

No. 396 of 1847.—Captain F. D. Atkinson, of the 2d European Regiment, is appointed Fort Adjutant at Allahabad, which situation is henceforward to be held on the same footing of permanency as that of Major of Brigade was placed by G. O. No. 177, of the 14th June 1844.

No. 397 of 1847,—With reference to the G. O. of the 25th October last, 2d Lieutenant C. S. Paton is appointed to mark and superintend the construction of the line of road from Kurnaul direct to Ferozepore, in the room of Lieutenant Garforth, whose services are, at his own request, re-placed at the disposal of the Right Hon'ble the Commander in Chief.

No. 398 of 1847.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotion:

make the following Promotion:

54th Regiment N. I—Ensign Charles John
Butler to be Lieutenant, from the 9th December
1847, vice Lieutenant James Sibley deceased.

Mr. John Tovey is admitted to the service in conformity with his appointment by the Hon'ble the Court of Directors as a Cadet of Infantry on this Establishment, and promoted to the rank of Ensign, from the date assigned to him in General Orders No. 256, of the 27th August last. Date of arrival at Fort William, 19th December 1847.

Brevet Major Charles James Lewis, of the 50th Regiment N. I, has returned to his duty on this Establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors. Date of arrival at Fort William, 20th December 1847.

No. 399 of 1847.—The undermentioned Gentlemen are admitted to the service in conformity with their appointment by the Hon'ble the Court of Directors, as Cadets of Infantry on this Establishment, and promoted to the rank of Eusign from the dates assigned to them in General Orders, Nos. 256 and 342, of the 27th August last and 12th ultimo:

Infantry.

Date of arrival at Fort William.

Date of arrival at Fort William.

of the Invalid Establishment, ...]
Lieutenant George Beadnell. of the 37th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.
Garrison Serjeant Major John Burgess is placed

Garrison Serjeant Major John Burgess is placed at the disposal of the Government of Bengal for appointment as Superintendent to the Deegah Penitentiary in the City of Patna. No. 400 of 1847.—Major General Sir Joseph Thackwell, K. C. B., whose appointment to serve on the Staff of the Army in India, in succession to Major General Sir Harry Smith, Bart., G. C. B., was announced in General Orders to Her Majesty's Forces, dated the 25th ultimo, is admitted on the Staff of this Presidency accordingly.

No 401 of 1847.—The Right Hon'ble the Governor General has been pleased to make the following Promotions in His Lordship's Body Guard:

No. 402 of 1847.—The Governor General in Council is pleased to make the following Promotions in the Army Commissariat Department:

Lieutenant Colonel F. S. Hawkins, C. B., Joint Deputy Commissary General, to be Deputy Commissary General, vice Lieutenant Colonel Parsons, C. B., nominated to the Command of Scindeah's Contingent.

Brevet Lieutenant Colonel W. J. Thompson, C. B., Assistant of the 1st Class, to be Joint Deputy Commissary General, vice Lieutenant Colonel Hawkins promoted.

Captain G. Newbolt, Assistant of the 2d Class, to be an Assistant of the 1st Class, vice Lieutenant Colonel Thompson promoted.

Captain F. Lloyd, Deputy Assistant of the 1st Class, to be an Assistant of the 2d Class, vice Captain Newbolt promoted.

Captain G. B. Reddie, Deputy Assistant of the 2d Class, to be a Deputy Assistant of the 1st Class, vice Captain Lloyd promoted.

Brevet Major E. R. Mainwaring, Sub-Assistant, to be a Deputy Assistant of the 2d Class, vice Captain Reddie promoted.

Deputy Commissary General Lieutenant Colonel Hawkins, C. B., is appointed to the 1st Circle, and Joint Deputy Commissary General Lieutenant Colonel Thompson, C B., to the 2d Circle of Commissariat Superintendence.

W. M. N. STURT, Major,

Dy. Secy. to the Govt. of India,

Mily. Dept.

GENERAL POST OFFICE NOTIFICATION.

No. 730.

Export Overland Mail per P. and O. Co.'s Steamer "Haddington," direct from Calcutta.

NOTICE is hereby given, for general information, that the Mails for Suez, and the intermediate Ports, (Madras, Ceylon, Aden, Penang, Singapore and Hong Kong,) intended for transmission by the Peninsular and Oriental Company's Steam Vessel "Haddington," will be closed at this Office on Friday, the 7th proximo, and that an After Packet will be despatched hence on Saturday, the 8th idem, with the ordinary Mail. To ensure its arrival at Kedgeree, in time to reach the Steamer, the public are particularly requested to observe that no Letters for the "Haddington" can be received after 4 P. M. of that date.

Fort William, Genl. Post Office, The 15th December, 1847.

NOTICE is hereby given, that in regard to Packets and Parcels posted for despatch to and from Arracan and the Tenasserim Provinces by Government Steamers;—the provisions of Clause 30, of Act XVII. of 1837—(a Copy of which is subjoined for the information of the Public,) will, from and after this date, be most strictly enforced, whenever there may be reason to suspect that any Packet or Parcel contains any contraband Article; or any Article on which Government Duty is owing.

J. R. BURLTON BENNETT,

Dy. Post Master General, in charge.

Calcutta General Post Office, the 13th November 1847.

ACT No. XVII. of 1837.

Clause XXX. And it is hereby enacted, that if any Post Master General, or Post Master, shall suspect that any Letter or Packet lying for delivery at his Post Office contains any contraband Article, or any Article on which duty is owing to Government, or that any Letter or Packet lying for delivery at that Post Office contains any writing in contravention of the provisions of Sections IX. and X. of this Act, it shall be lawful for such Officer to summon the person to whom the Letter or Packet is directed, to attend at that Post Office by himself and Agent within Forty Eight hours after the arrival of the Letter or Packet at that Post Office, and to open the Letter or Packet in the presence of the person to whom the Letter or Packet is directed, or of that person's Agent; and if that person shall not so attend by himself or Agent, then to open the Letter or Packet in the absence of that person.

> (True Copy,) J. R. BURLTON BENNETT, Deputy Post Master General, in charge.

NOTICE.-With reference to the London Post Master General's Notification regarding the rates of postage to be charged upon Letters received from Bombay by the Government Express, which was published with a notice from this Office of vesterday's date, the following Letter since received from the Post Master General of Bombay on the subject, is also published for general information.

W. TAYLER,

Post Master General.

Fort William, Genl. Post Office, The 24th July, 1847.

No. 966 of 1847.

General Department.

To W. TAYLER, Esquire,

Post Master General, Colcutta.

Sin,-Adverting to my Letter, dated the 2d instant, I have the honor to suggest for your consideration, whether it would not be advisable to publish a Notice in the Calcutta Papers, intimating to the public generally, especially the Mercantile Community, that, if they desire their Overland Letters, to be forwarded on by the Government Overland Express, they should request their Correspondents to mark "per Express," and to keep within the limited weight of two tolas; and that, meanwhile, until the system becomes generally known, they ought to advise me, whether they wish any of their Letters, not so marked, to be sent on from Bombay by the Express.

2d.—By the last Express I dispatched as usual a number of Overland Letters, not especially marked, because, had I not done so, great disappointment would have been experienced by parties in Calcutta; but I intend to discontinue the practice, after a sufficient time has elapsed to admit of the public becoming aware of the privilege conceded by the Notification of May issued by the London General Post Office, and to dispatch by the Overland Express those Letters only which are so marked.

3d.—The public ought moreover to be most especially warned not to mark "per Express" on letters exceeding two tolas in weight, because such letters cannot be so dispatched. They will invariably be detained (as was the case on the arrival of the last Mail,) for transmission by the post regular dawk,

dispatched after the Express.

4th.—I shall feel much obliged by your favoring me with a list of "Newspaper Offices" in Calcutta, and by your informing the parties connected therewith that not more than two papers (whether sent out from England marked "per Express," or posted in Bombay to go by Express) will, in future, be forwarded by the Government Express. Some of the Newspaper Offices have as many as six Overland Papers marked "per Express," but, as they cannot be so forwarded, it is useless to have them so marked.

5th.—The new rule limits the weight of a Newspaper to S tolas, but, if that were acted up to, the Newspaper Offices would be deprived altogether of the privilege conceded by the Notification of May last, as an Overland Paper invariably weighs more than 3 and generally very nearly 6 tolas. I have therefore determined to send two Overland Papers to each Office, without reference to that limit, and shall continue the practice until I receive orders to the contrary from Government or the Home Authorities.

I have, &c.,

A. W. RAVENSCROFT, (Sd.)

Post Master General.

Bombay, Genl. Post Office, 12th July, 1847. (True Copy,)

W. TAYLER,

Post Muster General.

NOTICE.—The following Notice of the Post Master General of London, received through the Post Master General of Bombay, is published for gereral information.

W. TAYLER, Post Master Genl.

Calcutta, Genl. Post Office, the 23d July, 1847.

GENERAL POST OFFICE, MAY 1847.

The Post Master General having been informed by the Court of Directors of the East India Company, that on and after the 1st June next, persons in this Country may forward private correspondence by the Government Express from Bombay to Calcutta and Madras, all persons desirous of availing themselves of this privilege, will be required to mark upon the covers of their letters the words "By Express from Bombay," and in addition to this special address, it will be necessary, that all letters intended to be forwarded by the way of Southampton, should be so endorsed as hitherto; the postage to be charged in India in the delivery of letters sent by this Express will be in addition to the ordinary Inland rates.

One Rupes for every letter not exceeding half a tola in weight.

Two Rupees for every letter above half a tola, but not exceeding one tols in weight.

Four Rupees for every letter above one tola, but not exceeding two tolas in weight, two tolas being the maximum weight of letters to be conveyed by Express.

On Newspapers, each Newspaper Office in Calcutta and Madras, will be allowed to receive two Newspapers at the ordinary rates of Inland postage, on all other Newspapers forwarded by Express a postage of five Rupees each will be charged, and no Newspaper will be received for the Express exceeding three tolas in weight.

N. B. One tola and a quarter is nearly equivalent to half an ounce avoirdupoise.

(True Copy,)

(Signed) W. ESCOMBE, Secy. to Govt. (True Copy,)
(Signed) A. W. RAVENSCROFT,

Post Master General. (True Copy,)

W. TAYLER, Post Master General.

Pre-Payment of Indian (Inland and Ship) Postage on Covers forwarded to Hong Kong.

NOTICE is hereby given, that in conformity to the instructions of Her Majesty's Post Master General, no Letter or Newspaper will, in future, be received at this Office for transmission to Hong Kong, unless the entire amount of Indian (Inland and Ship) Postage due for the conveyance of the same to its ulterior destination, shall be previously paid by the Sender at the time of posting at the Despatching Office.

It is to be distinctly understood that this rule does not apply to the description of covers forwarded by the Peninsular and Oriental Company's Contract Steamers, as on them, the prescribed British Packet rate of Postage is charged.

W. TAYLER, Post Master Genl.

Calcutta, Genl. Post Office, the 4th Sept. 1846.

LIST of Unclaimed Letters remaining in the General Post Office, which accumulated between the months of July to September 1847.

Q.

Queros, Esq F J-Gorruckpore.

Reid, Esq H S-Meerut.
Ricketts Mr T-Care of Harris, E-q Cooley Bazar, Calcutta

Ryan, Mrs J-Cowcolly Light House, Kedgeree. Russell, Capt—H C Steam Service, Calcutta, Ross, Dr J P—Mussorie.

Rickabey, Mr J .-- At Mrs Connys, residing at Howrah, Calcutta.

Robinson, Esq. Indigo Planter, Jungeepore. Rodgers, Mrs W A.—Care of Mrs Gaspers, Bow Bazar,

or 13, Colotuliah, Calcutta. Reid, Esq A—Spence's Hotel, Calcutta.
Russell, Wm (MD)—Calcutta.
Revell, Esq Henry—Bengal.
Reid, David Alex—Bengal Civil Service.

Rebbeth, Mr Josiah-Calcutta.

Ranken,-Relative of M Geo.
Reid, Capt H A-71st Regt N I, Loodianah.

Ranken, Mr Edward-3, Sooterkin's Lane, Calcutta.

Ranken, Mr Jas—Berhampore.
Ryan, Mr Jas—Berhampore.
Radoliffe, Esq Jas—Calcutta.
Raynean, Esq J—Indigo Factory, Commercelly.
Roberts, Esq H M (3 letters)—Mirzapore.
Richardson, Esq C W—Deputy Collr, Mehur.
Richards, Revd H—Pension Establishment, Patna.

Rait, Esq H-Midnapore.

Richards, Ensign John-Post Office, Monghyr.

Ritchie, Ensign-5th N I, Dinapore.

Rind, the Executors of the late Capt-37th N 1, Ben-

Reid, Messrs Saml and Say (2 letters)—Gopal Mullick, Esq. Calcutta.

Rowe, Esq Gilson (3 letters)—Furreedpore.
Rogers, Revd W—Care of Revd Mr Parsons, Monghyr.
Reygers, Serjt A—Dinapore.

Reid, Esq H-Monghyr. Russell, Esq R-Monghyr.

Robson, Esq Jas-On his passage down the River, Berhampore.

Robinson, Miss Jane—At Kidderpore. Ramloll Ghose, (2 letters)—Calcutta.

Ranjee Jewrauj — Bombay. Rajkissen Sircar, — Chinsurah College. Radakissen Dutt, — Calcutta.

Rajchunder Singh, (2 letters)--Calcutta.

Russickloll Mittre,—Care of Ramrutton Roy, Jessore. Retfoll Sing,—Zemindar Chowdry, in the Zillah of Monghyr.

Ramrutton Singh,-Invalid, Monghyr.

Radanauth Goor and Co,—Calcutta.
Ramjon Khan, — Godown Chaprasee, Dept Public Works, to wait enquiry at the Post Office, Monghyr.

Ram Mohun Roy,-Morshedabad. Raj Mohun Moitry,-Care of Baboo Gungapersad Gossie, Serampore.

Ram Gopal Chatterjee,—Allynuggur.
Ramhurry Banerjee,—Writer, Commissariat Office,
Nusserabad.

Radanauth Dutt,-Soladnah.

Rivers, Mr Geo-Ship "Bland."
Roche, Henry-Ship "Carnatic."
Robertson, Esq R D-Ship "Deogaum."
Rowe, Mr M J-Ship "Faize Allum."

Ryan, Mr C-On board the "Maris."

Shelly, Miss-On board the "Cowasjee Family," Kedgeree.

Shafraz. Esq C T—Calcutta.
Smith, Esq R—Dy Regr Sudder Dewanny Adawlut.

Stewart, Eq J-Jessore.
Stone, Mr Peter (2 letters)—Berhampore, Checacole. Smith, Mr E-No 11, Strand, Calcutta.

Serpentine, Esq F-Patna.
Sutherland, Esq M-Burdwan.
Stanford, Mr E W-At Mr Alexanders, Cullen Place, Howrah.

Place, Howrah.

Stanford, Mrs R W—Sulkeah.

Scanlan, Esq P H—Barripore, Calcutta.

Smith, Mr H M (3 letters)—On board the Str "Megna," Berhampore.

Savi, Esq J H—Ramnagur, Plassey.

Spencer, Mr—Monghyr.

Smart, Mr J B—H C Steamer "Indus," Kidderpore.

Scott, Lieut C—Asst Commr Gowalparrah, Assam.

Smith, Esq E W—Sultanpore Factory, via Purneah.

Scott. Eso Saml—Beejooly Factory, via Jennedah.

Smith, Esq E W—Surranpore ractory, via I uneau.
Scott, E-q Saml—Beejooly Factory, via Jennedah.
Smith, Esq R E—Care of F Lacombe, Esq Calcutta.
Swan, Esq T C—Passenger on board the Barque
"Sarah" care of Capt G Hodgson, Vizigapatam.
Sawers and Co, Messrs (2 letters)—Calcutta.

Stavers, Mr R C-Barque " Elizabeth Anslie," Musu-

lapatam.

Smith, Esq D-Dacca.
Smith, Esq D-Mily Club, Calcutta.
Smith, Esq-Firm of Manton and Co, Calcutta.

Spiers, Lieut A-Interpreter and Qr Mr, King of Oude's Service, Luknow.

Smith, Mr J H-Care of C S Leckie, Esq Lyon's

Range, Calcutta.
Smith, Major Ralph—Commr Agent's Office, Calcutta. Sandal, Esq J A-Tirhoot.
Sawyers, Mr J-Pension Establishment, Monghyr.

Swinbourne, Miss E-Gent Post Office, to be kept till called for, Calcutta.

Shand, Esq Jas (3 letters)-Care of John Robson, Esq. Amgoopy Factory, Kishnaghur. Smith, Mr Charles- Lindsey Street, Calcutta. Sinclair, Esq W (10 letters)—Govt School, Dacca.
Sinclair, Esq G—Furicedpore.
Sage, Esq R P—Jessore.
Savi, Esq J II—Plassey. Stone, Esq J G D-Calcutta. Skinner, Mr W-Care of J Furlong, Esq. Bongong. Smith, Mrs-Care of Capt Bonham, Bigade Major, Fort William, Shakespear, Capt J-Bengal Army. Scott, Revd John-Howrah.
Smyth, E-q D C-Bengal Establishment. Simpson, Capt John-14th Bengal Infantry. Steer, Bt Major W F-Bengal. Starling, Lieut Col P (2 letters)-Bengal Establishment. Stevenson, W H (2 letters)—M D, Bengal. Slatter, Esq R (2 letters)—Messrs Geo Teil and Co, Calcutta. St George, the Executors of the late Lieut-37th N I, Bengal. Stewart, Lieut F G-H M 58th Foot, Umballa. Stone, Mrs.—Dinapore.
Sym, Esq A.—Goruckpore.
Scott, Esq T.C.—Burdwan. Smith, Esq E P-Commissioner of the Benares Division, Benares. Smith, E-q E P-Civil Service, Agra. Scott, Esq W (3 letters)—Bagga Donga Factory, Bongong. Stevens, Mrs J W-Calcutta, care of Mrs J Campbell. Smith. Capt S M-Sobathoo. Simmonds, Major T H-Allyghur. Short, Lieut W D-Surveyor of Roads, from Delhi to Umballa. Shannon, Edward (2 letters) - Care of Capt Johnstone, Marine Board. Scott, Esq J P-Coffee Planter, Kandy, Ceylon. Stewart, Lieut C-Bengal Horse Artillery, Cabul.
Swiney, Esq J (2 letters)—Asst Reve Surveyor, or
care of O W Malet, Esq Midnapore. Sonnigson, T M-River Merchant, Bhaugulpore. Stobzenburgh Revd G-Monghyr. Simpson, Mr T R-Tirhoot. Stonehouse, Mrs G-Proceeding by River, Monghyr. Severett, Esq T R-Bhaugulpore. Serjent, Mr John-Hospital Apprentice, Gazeepore.

Street, Calcutta. Sumboonauth Ghose, -Calcutta.

Shibchund Dutt,-Calcutta.

Sumboo Chunder Chatterjee and Co, (2 letters)-Calcutta.

Satrasalla Veneataram Chitty and Son,-China Bazar

Shibchunder Bhose,-Calcutta.

Scott, E-q S-Mulnauth.

Sayer, Captain-II M 80th Regt, Lahore. Secretary to the Branch Society for Promoting Christian Knowledge-Old Church, Calcutta. Samachurn Dutt,-Comtt Gomasta, H M 50th Foot,

Kidderpore, Calcutta.

Seboo Mugg,-Care of Modoosoodun Mugg, Rajburry, Burdwan.

Sheik Mutjee,-Gun Smith, No 10, Rada Bazar, Calcufta.

Sreenauth Chunder, - Chineurah, care of Bolaram Chunder.

Santo, Mr Joseph-Ship "Diana." Smith, Mr Saml-On board the "Ernaad."

Short, Mr H-Ship "Faize Allum." Spence, Mr E-Barque "Hindoo."

Simon, Moner J C—a bord de la "Corvette." Smith, Capt T—Ship "Nith."

Stratton, Mr Jas-Ship "Syria."

(To be Continued.)

J. R. BURLTON BENNETT,

Deputy Post Master General.

Calcutta, Genl. Post Office, the 18th Novr. 1847.

Agra, 30th October, 1847.

NOTICE.—Several instances having been lately brought to the notice of the Post Master General N. W. Provinces, of Officers having franked as on the Public Service communications to the Post Masters and Steam Agents, containing instructions regarding their private Letters and Parcels.

The annexed Extract from the Rules for the management of the Post Office Department, passed by the Governor General in Council on the 30th August 1837, is re-published for general informa-

If after the date of publication of this notice, any public Officer shall frank as on "Service," communication of the nature above alluded to, the penalty enacted in Section V. of Act XX. of 1838, will be strictly enforced.

All references and appeals to the Post Master General will be forwarded free of postage, if super-scribed "on Post Office Service," and signed with the full signature of the party by whom the reference or appeal is made.

H. B. RIDDELL,

Pest Master General N. W. P.

Extract from the Post Office Rules of the 30th August, 1837.

Letters addressed to public Officer on private affairs to be Post-

Section LIX. — Letters which Individuals address on their private affairs to any Government Offices, must be

sent "Post-paid," and this Rule is to be understood to include Letters transmitting Bills of Exchange, Promissory Notes, Receipts, Government Securities, &c, to the Accountant General, Government Agent, or other public Officer, but this practice shall be reversed when public Officers write Letters on such subjects to Individuals, on which occasions they shall superscribe on the envelopes with their official signatures the words "Bearing Postage."

(True Extract,)

H. B. RIDDELL.

Post Master General N. W. P.

STEAM NOTICE.

THE Public are hereby informed, that Mr. J. Pereira is appointed to officiate as Government Steam Boat Agent at Burrisaul, without Pay, until the intercourse with that Station, and the receipts from the Dacca and Assam Steam Communication may warrant the Superintendent of Marine, in recommending to Government to sanction the appointment on the usual terms.

Steam Department, the 23d December, 1847.

FREIGHT AND PASSAGE TO THE NORTH WESTERN PROVINCES.



The Accommodation Boat "Sutledge" in tow of a Steamer, will be despatched to the North Western Provinces on Wednesday,

the 29th instant, at 8 A. M., via the Sunderbunds.

The Boat Office will be open for the reception of Cargo from the 24th idem.

By order of the Superintendent of Marine,

J. WOODLEY,

Clerk of the Govt. Boat Office.

Steam Department, the 21st December, 1847.

CUSTOMS.

LIST OF PACKAGES LYING UNCLAIMED AT THIS OFFICE.

-			
184			
Dec.	11.	6 Bales, marked X 877 to 882,	Monarch
	,,	2 Ditto, ditto W G and Co., 201 to 202,	Ditto
"	"	C D & Co.	151110
,,	18.	2 Cases, ditto J H B, 440 to 441,	Ditto
"184	6.		
Feb.	2.	1 Ditto, Mrs. Dawson,	Prince Regent
,,	13.	25 Ditto, marked J E C,	Achilles
1)	16.	1 Box, Mrs. Cotton,	Kandiana
May	5,	1 Case, Capt. Bowerbank,	Matilda
June	17.	1 Box, marked F in diamond,	Sylph
**	,,	1 Ditto, ditto W H A,	Ditto
,,,	,,	1 Ditto, Asst. Surgeon L. C. Stewart, H. M. 39,	Ditto
"	3 0.	1 Ditto, marked Provision,	Cheapside
July	4.	1 Parcel, ditto J K in triangle, 1 to 25,	Gloucester
99	8.	1 Case, Shaik Abdool Rozeb,	Enterprize
Aug.	20.	4 Ditto, Capt. Campbell, 42 L. Infantry, care Hyde Gardiner,	Scindian
Oct.	4.	1 Ditto, marked P in diamond,	Success
99	12.	1 Ditto, Lt. Col. Reignolds, 18 Regt. Foot,	Diana
_, ,,	14.	1 Tin Roll, Abraham Sally Patriel,	Sylph
Dec.	4.	2 Packages, M. O. Glubb, care Cockerell and Co.,	Alfred
**	9.	1 Case, Col. Penny,	Agincourt
"104	_ 11. ;	1 Ditto, marked L T F,	Mahomed Shaw
184		1 On Eur OP	Marlhorough
Jany.	1. 5.	1 Case, ditto C B,	Marlborough Flora Kerr
A	22.	1 Parcel, Dispatches,	Dorothia
April	27.	1 Ditto, Mrs. Col. Green, care Col. Green, 50 M. N. I.,	Ariel
May.	11.	1 Case, Messrs. Smith, Stanistreet,	Kelpie
	14.	2 Casks, marked D E in triangle, 1 and 2,	Ruby
June	1.	2 Cases, Comdg. Officer 14 Dragoons,	John Dalton
"	33	1 Ditto, ditto 80 Foot,	Ditto
"	19.	1 Box, C. G. D'Cruze, St. John's College,	Cowasjee Family
"	2 5.	1 Case, marked M C in diamond,	Breadalbane
July	3.	1 Parcel, G. Graseman,	Enterprize
,,	20.	1 Case, G. O. B. Saunders,	Wm. Gibson
Sept.	13,	1 Ditto, A. Simpson, care Boyd and Co.,	Scindian
Oct.	2.	3 Ditto, H. M. 32 Regt., 7070 to 7072,	Samarang
"	**	2 Ditto, Dy. Principal Commissary of Ordnance, 1 & 2,	Ditto
~"	5.	1 Ditto, Revd. H. Boyes, Meerut,	Seringapatam
Dec.	7.	1 Ditto, marked N S and Co.,	Ellenborough
39	,,	1 Ditto, ditto F G F,	Ditto
		M 1 Day For For F	D'44-
**	" 10	1 Ditto, ditto F G F,	Ditto
>>	13.	1 Ditto, ditto T M,	Barham

W. BRACKEN,

Calcutta, 24th December, 1847.

Collr. of Govt. Customs.

The Collector has no objection to pass Packages, which are intended for private use, and not for Sale unopened—provided, that at the time they are applied for, satisfactory proof of their contents in the shape of Invoices, Billa, or Letters of Advice are produced. In the absence of these documents, owners should depute a person to be present at the opening of their Packages.

The Collector has nothing to do with the landing of Packages from Ships, nor with forwarding them to their owners or destinations.

NOTIFICATION.

Fort William, the 16th December, 1847.

OPIUM.—Notice is hereby given, that on Monday, the 27th December, 1847, at the hour of Eleven o'Clock in the forenoon, will be put up to Sale at the Exchange Rooms, at Calcutta, and sold by Public Auction, for Exportation by Sea, the undermentioned quantity of Opium, the provision of 1846-47, subject to the following Conditions, viz.

Produce of Behar Agency, Chesta 1,830 Bitto of Benares ditto, 780

Total Chests,... 2,610

CONDITIONS OF SALE.

1st.—The Opium will be sold for Exportation by Sea only, and no Certificate will be granted except to cover such Export.

2d.—The Opium will be ordinarily offered for Sale at an upset price of Rupees 400 per Chast, and sold to the highest bidder above that price; except under the circumstances for which provision is made by Clause 12th of the Conditions of Sale.

3d.—The Sale shall commence at the hour of 11 A. M., and shall not be continued after the hour of 5 P. M; but if at that hour any of the lots advertized for Sale shall remain unsold, the Sale may at the discretion of the Board of Customs, Salt and Opium, he resumed on the next day following

(not being Sunday or a public Holiday) at the hour of 11 1. M., and so en until the whole of the remaining lots are disposed of; or, if the quantity of 2,610 Chests shall not be sold on the day advertized, the Board may dispose of the Lots which remain on hand at a future Sale.

4th.—Each Lot to contain Five Chests.

5th -A deposit in a Promissory Note for 25 per Cent. even money of the amount for which each lot is knocked down, shall be made by the purchaser in the Sale Room, and before the lot is Registered in the Sale Book, and all such Promissory Notes shall be redeemed on the part of the Purchasers at this Office, by Sub-Treasurer's Receipts, or by substitution of other Public Securities of the Bengal Government, on or before 4 o'Clock of the afternoon of Wednesday, the 29th December 1847; or on the other hand, failing such redemption by the time aforesaid, then the lot or lots for which no Sub-Treasurer's Receipts, or deposit of other Public Securities as aforesaid, shall have been delivered in, shall be re-sold at such time or times, and under such conditions of re-sale as the Board of Customs, Salt and Opium, shall see fit, and all losses and expences whatsoever attending such re-sale, shall be borne and paid by the defaulters, whilst any profit accruing from such re-sale shall be forfeited to Government.

6th.—The Promissory Notes taken on the day of Sale, under the last mentioned Condition, if remaining unredeemed on the said 29th December 1847, will be placed in the hands of the Attorney to the Hon'ble Company for realization in such manner as to him shall seem fit.

7th.—No Tender of Money, Sub-Treasurer's Receipts or Public Securities, on account of Opium, upon which the prescribed deposit may not have been made before 4 o'Clock of the 29th December, will be afterwards accepted.

8th.-The Opium now advertised for Sale shall be paid for within fifteen clear days from the day of Sale, that is to say, no Treasury Receipt will be accepted in payment after 4 P. M. of Tuesday the 11th January 1848, and in case any lots of such Opium shall not be so paid for, and adjusted, then the cash deposit of 25 per Cent. even money of the amount for which each lot is knocked down, or any Public Securities that may have been deposited on account of such lots or chests, shall be forfeited, and the Opium be disposed of on account of Government at such time and in such manner as the Board of Customs, Salt and Opium, shall think fit, and the first Purchaser shall further be required to make good any loss or difference of price between that obtained at the re-sale, and the amount at which the Opium was first purchased, forfeiting all advantages that may arise from such re-sale.

9th.—Purchasers taking out Certificates or Orders for the delivery of Opium, after making full payment as above prescribed, shall have the option of naming the number of lots of their purchase, which they may desire to be included in each Certificate or Order, and it is to be clearly understood, that the Certificates or Orders so taken out shall be considered final and not afterwards changeable for other Certificates or Orders authorizing the delivery of single lots, or of a different number of lots or chests, whether more or less than the number of lots or chests originally required to be included in each Certificate or Order.

19th.—No Sub-Treasurer's Receipts, or Deposit of Public Securities, under the fifth of the present Conditions, will be received in this Office, except from the party recorded as the Purchaser in the Sale Book, or his authorized Agent. The receipt for deposit of Public Securities will be granted only in the name of such Purchaser, and the Securities so deposited will be returned when clearance has been made by the said Purchaser or his order.

11th.—The Officer Superintending the Sale on the part of the Board of Customs, Salt and Opium, is empowered to reject at his discretion the bid of any individual, unless such individual shall, on demand, tender at the time, a deposit either in Bank of Bengal Notes, Sub-Treasurer's Receipts, or other Government Securities, equal to 25 per Cent. even money of the amount so bid.

12th.—With a view to prevent fictitious biddings designed to obstruct the Sale, it is hereby notified, that the Officer of Government Superintending the Sale, shall be competent at any time during the Sale to withdraw any unsold lot, and immediately to put it up again for Sale at a maximum upset price, diminishing the same gradually until a bid is obtained, and the first bona fide bidder for a lot, after it has been offered for Sale in the mode here described, shall be held and declared to be the Purchaser of the said lot, and the Officer of Government Superintending the Sale shall also be competent to dispose in the same manner of as many of the subsequent lots as he may think proper; provided always, that no lot shall be sold below the minimum price of 400 Rupees, specified in the 2d Clause of these Conditions.

13th.—The Purchaser of any lot shall have the option of naming and purchasing in immediate succession any number of lots of the same Agency Opium to the extent of twenty-five lots, and for the lots so purchased, the Purchaser shall deposit for each lot 25 per Cent. even money of the amount bid by him for the first lot, and pay the same price per chest as that for which he purchased his first lot; provided always, that there remain a sufficient number of lots of that Opium to complete the said twenty-five, but not otherwise.

14th.—In the event of any dispute or difference touching or concerning any matter or question arising out of the Sale of the Opium included in this Notification, or adjustment of the account thereof, the same shall and may be tried and decided in the Supreme Court of Judicature at Fort William in Bengal, and all and every Plea and Pleas to the jurisdiction of the said Supreme Court shall be waived.

15th.—The following Papers, together with samples of the Opium for Sale, will be exhibited for inspection on the day of Sale, or may be seen previously to that date, by application at the Office of the Secretary to the Board of Customs, Salt and Opium.

No. 1—Certificate of the Opium now advertized for Sale.

No. 2—Report of the Examination of such Opium.

16th.—The Public are hereby informed, that in providing the investment of the Behar and Benares Opium for the year 1846-47, the same precautions have been taken as those which have been observed during past years, to have the Drug procured and sent down in a pure state, to have only the prescribed quantity of leaves used in forming the cakes, and to have the due proportion of Opium put into each cake. An account of the weight of the Drug when packed at Behar and

17th.—Any further information respecting weight or quality of the Opium advertised for sale, that may be desired by parties connected with the Trade will, as heretofore, be furnished to them on application at the Office of the Board of Customs, Salt and Opium; but in accordance with established usage, under no circumstances will the Board entertain or recognize any claim to compensation for loss from any alleged deficiency of weight, abstraction of Opium, or adulteration of the drug which may be preferred in reference to chests after the sale and delivery of the Opium for shipment.

18th .- The Public are hereby informed, that in addition to the quantity above mentioned, the following quantities more or less of Behar and Benares Opium of 1846-47, will be brought to sale in the present season on or about the dates specified below:

	Behar, about Chests	Benares, about Chests	Total, about Chests
On or about Monday, the ? 24th January 1848,	1830	780	2610
On or about Monday, the 21st February 1848,	1830	780	2610
On or about Wedne-day, the 22d March 1848,	1850	780	2610
On or about Monday, the	1830	780	2610
On or about Monday, the	1830	780	2610
On or about Monday, the \\ 12th June 1848	1830	780	2610
On or about Tue-day, the } 11th July 1848,	1830	780	2610
On or about Monday, the 7	1830	780	2610
On or about Monday, the	1830	780	2610
4th September 1848, { On or about Monday, the } 16th October 1848,}	1831	774	2605
Total,	18301	7794	26095

By order of the Board of Customs, Salt and Opium, CECIL BEADON, Offg Secy.

COMMISSARIAT NOTICE.—Sealed Tenders will be received at the Executive Commissariat Office at Benares, up to 4 P. M. of the 14th of January 1848, for the Supply of Bread, Butter, Milk, Fowls, Salt, Eggs, Flour, Ottah, Gram, Bhoosah, Fire Wood, Hospital Clothing and Quilts, for the Benares Division of the Army, from 1st of May 1848.

Tenders will be received for each Article separately, in Forms to be had, on application to the Benares Executive Commissariat Office, and not otherwise; and they will be opened and read on the 15th of January 1848, at noon precisely, in the presence of such parties concerned, as may choose to attend, at this office.

T. F. HOBDAY, S. A. C. General. Executive Commissariat Office, Benares, 18th Dec., 1847.

NOTICE	E is hereby given, that a Koorook Tehsildar is wanted for the managem their application to the address of the Collector of Nuddea. Security	for the management of the follow Suddea. Security either Governn	ring Estates, Cand ment Promissory No	NOTICE is hereby given, that a Koorook Tehsildar is wanted for the management of the following Estates, Candidates who are desirous of the appointment are requested to send their application to the address of the Collector of Nuddea. Security either Government Promissory Notes or Estates of Sudder Malgoozary will be accepted.
No. of Estates.	Name of Mehal.	Name of Malick whose right and Interest is to be attached.	Sudder Jumma.	Remarks.
- 6	Dhee Naccassuparrah in Pergunnah Bugaon, Kissubchunder Dhee Hateechella,	Kissubchunder Roy, Ditto,	16045 10 8 9482 6 0	8 Attached agreeably to the order of the Foujdari Adawlut of Moorshedabad, for the non-appearance of Kissubchunder Roy in that Court.

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Zillah Nudder, Collector's Office, the 2d December, 1847.

Court for the Relief of Insolvent Debtors at Calcutta. In the matter of William An Account of the Receipts and Bruce and others, heretofore Trading in Co-partnership at | Disbur Calcutta, as Merchants and | Robert Disbur sements of Calcutta, as Merchants and Charles and Charles and Firm of Bruce, Shand and nagle, Esq., the Assignees of the Insolvents, from Estate and Effects of the said Insolvents, from

December 1846 until the 30th day of November 1847, has been filed, and may be inspected at the Office of the Chief Clerk.

Messrs. Allan and Thomas, Atties.

In the matter of John Pinto
Biale, of Joratollah Street,
in Calcutta, Master Mariner,
ber last, It was Ordered, that the Hearing in this matter, stand adjourned until Saturday the 8th day of January next: and that the said Insolvent do then attend.

Office of Examiner, 24th December, 1847. Mr. Panioty, Atty.

Sheriff's Office, 11th December, 1847.

NOTICE is hereby given, that a Sessions of Oyer and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House, in the Town of Calcutta, on Friday, the Seventh day of January next, at 12 o'Clock at Noon.

The Court will open on the First day of the Sessions at 12 o'Clock at Noon, and upon each succeeding day, precisely at 11 o'Clock in the Forenoon, of which all persons are required to take notice.

ADAM FREER SMITH, Sheriff.

সরিফ আফিষ ১১ মোসমূর ১৮৪৭ সাল।

সমাচার দেওরা যাইভেছে যে আগামি ৭ জেনে-ওয়ারি ১৮৪৮ সাল ওক্রবার দুই প্রহরের সমর সহর কলিকাভার কোট উইলেমের এবৎ ভাহার অভঃ পাতি যে সকল স্থান ভলিমিছে বলদেশের কোট উইলেমের লৃপ্রেম কোট আপন আদালভ ঘরে গুরুরুরিনের এব এডমিরেল্টী অর্থাৎ মহাসুমুদু সম্লুকীর মকল্মা নিষ্ণান্তি জন্য এক সেশীয়ার অর্থাৎ মিছিল করিবেন্।

এই দেশীয়ান যতকাল পর্যান্ত বলিবেক ভাছার প্রথম দিবল দুই প্রহরের লমর ভাছার পর প্রতি দিবল এগারো ঘটার সমর বলিবেক এবিবর সকলে बद्रभ द्राभूत।

ADAM FREER SMITH, Sheriff.

ADVERTISEMENT.-KIDDERPORE House is open for the reception of Pupils on the same terms with the Children of Subscribers.

For particulars apply to the undersigned. By order of the General Management,

John McQueen, Secy. M. O. S

Kidderpore, 1st November, 1847.

No. 120.

Bengal Military Fund.

IN conformity with the 27th and 28th Articles of the Regulations, a General Meeting of the Subscribers of the Military Fund, will be held at the Town Hall, on Thursday, the 27th January, 1848, at 11 o'clock in the forenoon, for the inspection and approval of the Accounts of the Fund, and of the Proceedings of the Directors for the past year, and for the election of Directors for the ensuing year.

R. RAMSAY, Capt.

President.

Calcutta, Mily. Fund Office, 24th Nov. 1847.

No. 756.

BANK OF BENGAL RATES.

DISCOUNT.

Private Bills and Notes at or within 3 months,	10	er	Cent.
Government Acceptances do.,	6	**	17
Interest Charged			
On Fixed Loans, not exceeding 3 months, on Deposit of Company's Paper,	8	,,	**
On Deposit of Opium,	9	97	1)
On Deposit of Metals and Indigo,	9	"	17
On Deposit of other Goods,	10	19	31
On Accounts of Credit, not exceed- ing 3 months, on Deposit of Com- pany's Paper,	- 8]	"	••
On Deposit of Opium,	91	,,	,,
On Deposit of Metals and Indigo,	9 [,,	1)
On Deposit of other Goods,	10	"	**

CHARLES HOGG,

Secy. & Treusurer.

Bank of Bengal, Culcutta, 7th December, 1847.

NOTICE is hereby given, that the sum of Co.'s Rs. 97, 8 annas, 9 pie, being proceeds of sale of certain Stores, saved from the Ship Hydroose, which was wrecked near Amherst at the mouth of the Maulmain River in November 1838, is depo-sited in the Maulmain Treasury, and will be delivered to any one legally authorized to seceive the same after deducting expences incurred.

No claim will be received after the 1st January 1848.

A. P. PHAYRE,

Prinl. Assistt. Commissioner, T. P.

Maulmain, 15th September, 1847.

This day is Published (Sept. 25, 1847,) Folio Foolscap, pp. 212-Price 10 Rs.

ARTICLES OF WAR,

ENGLISH, PERSIAN AND HINDOSTANEE; THE LATER IN

The Devunagures and English Letter.

SECOND EDITION, 1847.

W. REDEDALD, Supl.



SUPPLEMENT TO

The Calcutta Gazette.

Published by Authority.

SATURDAY, DECEMBER 25, 1847.

Fort William, Home Department, Legislative, the 18th December, 1847.

The following Act is brought up before the Legislative Council this-day, The Governor General of India in Council being desirous that no time should be lost in passing the Act,

Resolved—That the Rules requiring that all Acts of the Governor General of India in Council shall be brought up for second reading in two months or in three months from the date of the first reading be suspended in respect to the following proposed Act, and that it be at once passed into Law.

ACT No. XIX. OF 1847.

An Act to make certain Amendments in the Articles of War for the Government of the Native Officers and Soldiers in the Military Service of the East India Company.

WHEREAS it is expedient to make certain Amendments in the Articles of War provided by Act XX. of 1845, for the Government of the Native Officers and Soldiers in the Military Service of the East India Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers:

- 1. It is therefore hereby enacted, that from and after the First day of March 1848, the Articles of War provided by Act XX. of 1845, are repealed.
- II. And it is enacted, that the following Articles of War shall from and after the said day be the Articles of War for the Government of the said Native Officers and Soldiers in the Military Service of the said Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers. Provided always that all crimes and offences committed against the Articles of War provided by Act XX. of 1845 aforesaid may be inquired of and punished in like manner as if they had been committed against the Articles of War hereby provided; and that every Warrant for holding any Court Martial under the Articles of War provided by the Act XX. of 1845 aforesaid shall remain in full force notwithstanding the repeal of such Articles; and that all proceedings of any Court Martial upon any trial begun under such Articles, shall not be discontinued by the repeal of the same.

ARTICLES OF WAR.

SECTION I.

Of Inlisting and Discharges.

ARTICLE 1.

Every Recruit, prior to bring enrolled in his Regiment, shall have the First Four Articles of the Second Section of these Articles of War read and explained to him, and when reported fit for duty in the ranks, such Declaration as is now used, if any, in the respective Presidencies, shall be made to him by the Officer Commanding, in front of the Regiment or Corps, in presence of the Native Officers and Soldiers, and an oath or declaration shall then be required from him, according to the forms of his religion, such oath and declaration to be the like as are now used in the respective Presidencies.

* ARTICLE 2.

No Commissioned Officer shall be dismissed except by the Sentence of a General Court Martial. No Non-Commissioned Officer or Soldier shall be discharged as a punishment except by the Sentence of a Court Martial, or by order of the Commander in Chief at the Presidency to which he may belong. Every such dismissal or discharge shall include forfeiture of all claim to pension. Provided also, that the Governor General in Council in his executive capacity, and the Governor in Council of any Presidency to which a Commissioned or Non-Commissioned Officer or Soldier may belong, shall have power to order his dismissal or discharge.

ARTICLE 3.

All Non-Commissioned Officers and Soldiers discharged the Service, shall be furnished by the Commanding Officer of the Regiment with a Discharge Certificate, made out in the Vernacular Language of the individual discharged, with an English Translation, expressing the authority for, and cause of, such discharge, and the period of his entire Service in the Army.

* ARTICLE 4.

No Non-Commissioned Officer or Soldier shall enlist himself in any other Regiment without a regular discharge from his former Regiment, under the penalty of heing reputed a Deserter, and suffering accordingly.

SECTION II.

Crimes and Punishment.

Crimes punishable with death, transportation, corporal punishment, impresonment, or dismissal.

ARTICLE 5.

Any Officer, or Soldier, who shall begin, excite, cause, or join in any Mutiny or Sedition in the Regiment or Corps to which he belongs, or in any other Corps or Regiment whatsoever, on any pretence whatever; or who, being present at any Mutiny or Sedition, shall not use his utmost endeavours to suppress it; or who, coming to the knowledge of any Mutiny, intended Mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer; —— or

ARTICLE 6.

Who shall strike his Superior Officer, or shall draw or offer to draw, or lift up any weapon, or use or offer any violence, against him; whether on or off duty, and under all circumstances in which his Superior Officer may be distinguishable as such in any manner; —— or

ARTICLE 7.

Who shall disobey any lawful Command of his Superior Officer;—or

ARTICLE 8.

Who shall desert from the East India Company's Service, (whether or not he shall re-enter or re-enlist in the same;)——or

ARTICLE 9.

Who, being a Sentry, in time of War or alarm, shall sleep upon his post; or shall leave it before regularly relieved, or without leave; or shall plunder or injure the property placed under his charge;——or

ARTICLE 10.

Who shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard, committed to his charge, or which it was his duty to defend; or who shall use means to induce any other Officer or Soldier so to abandon or deliver up any such Garrison, Fortress, Post, or Guard;

ARTICLE 11.

Who shall treacherously make known the watchword to any person not entitled to receive it, according to the Rules and Discipline of War;

ARTICLE 12.

Who shall hold correspondence with or give intelligence to the Enemy, or any person in arms against the State, either directly or indirectly; or who, coming to the knowledge of such correspondence or communication, shall not discover it immediately to the Commanding Officer;—or

ARTICLE 13.

Who shall directly or indirectly assist or relieve the Enemy, or Persons in arms against the State, with money, victuals, or ammunition; or shall knowingly harbour or protect any Enemy or Person in arms against the State;—or

ARTICLE 14

Who shall treacherously release, wilfully aid, or connive at the escape of any Enemy or Person in arms against the State, placed as a Prisoner under his charge;—or

ARTICLE 15.

Who shall misbehave himself before the Enemy, or persons in arms against whom he is led, or use means to induce others so to misbehave;——or

ARTICLE 16.

Who shall in presence of an Enemy, or of persons in arms against whom he is led, shamefully cast away his arms or ammunition;—or

ARTICLE 17.

Who shall leave his Commanding Officer, or his Post, or Colours, or Party, in time of action, to go in search of Plunder;——or

ARTICLE 18.

Who, in time of War, shall do violence to any person bringing provisions or other necessaries to the Camp or Quarters of the Forces; or shall force a Safeguard; or break into any house, or other place for plunder; or plunder fields, or gardens, or other property;——or

ARTICLE 19.

Who, in time of War, shall, by discharging fire arms, drawing swords, beating drums, making signals, using words, or by any means whatever, intentionally occasion false alarms, in Action, Camp, Garrison, or Quarters;—or

ARTICLE 20.

Who shall, without proper authority, release any State Prisoner, or through carelessness or neglect shall suffer any such Prisoner to escape; or shall connive at the plunder or injury of property in time of War, or the plunder or injury of Treasure, or of a Magazine, or Dock Yard, by the Sentry or Guard in whose charge such property, or Treasure, or Magazine, or Dock Yard is placed;

ARTICLE 21.

Who, being a Sentry placed over any State Prisoner, or over Treasure, or over a Magazine, or Dock Yard, shall quit his Post without being regularly relieved, or without leave; or shall sleep upon his Post; or shall plunder or injure the property placed under his charge;

Shall, if an Officer, on conviction, suffer Death, or Transportation for life, or be Dismissed the

Service; And, if a Soldier, shall, on conviction, suffer Death or Transportation for life; or Imprisonment with or without hard labour, for life or for any term of years; and with or without solitary confinement for any portion or portions of the term of imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement of not less duration than such periods of solitary confinement; or shall suffer Corporal Punishment; or Dismissal from the Service; as by vided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martial, or by order of his Commanding Officer.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General or District Court Martial with Dismissal, Reduction, Corporal Punishment, or simple Imprisonment with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Suldiers.

ARTICLE 22.

Any Officer or Soldier who shall in operations in the field, spread reports by words or latters calculated to create unnecessary alarm in the Troops, or in the vicinity, or in rear of the Army;——or.

ARTICLE 98.

Who shall, in Action or previously to going into Action, use words tending to create Alarm of Despondency;——or

ARTICLE 24.

Who shall be drunk when on, or for duty, or on Parade, or on the Line of March;—or

ARTICLE 25.

Who shall strike or force any Sentry; ---- or ARTICLE 26.

Any Soldier who shall be grossly insubordinate or insolent to his Superior Officer in the execution of his office; or grossly insubordinate and violent in the presence of a Court Martial;——or

ARTICLE 27.

Who, being on actual Service, shall refuse to assist in making field works;

Shall, if an Officer, on conviction, be Sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction, before a General, or District, or Garrison Court Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Proceed, that such Offender shall not be Sentenced to Death, or Transportation, or Imprisonment with hard labour.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General, or District Court Martial, with Dismissal, Reduction, Imprisonment with or without hard labour, and with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 28.

Any Officer who shall behave in a manner unbecoming the character of an Officer; (the fact or facts whereon the charge is grounded being clearly specified therein;)—— or

ARTICLE 29.

Any Officer or Soldier who shall advise or persuade any other Officer or Soldier to desert, or who shall connive at such desertion; or who shall knowingly receive and entertain any Deserter, and shall not immediately on discovery give notice to his Superior Officer; or shall not cause such Deserter to be apprehended by the Civil Power;—— or

ARTICLE 30.

Who shall obtain or attempt to obtain for himself, or for any Officer or Soldier, or for any other person whatsoever, any Pension or Allowance, by any false Statement, Certificate, or Document, or by the omission of the true Statement, or Certificate, or Document;——or

ARTICLE 31.

Who shall knowingly make a false Return or Report, to any his Superior Officer authorized to call for a Return or Report, of the state of the men under his Command, or of Arms, Ammunition, Clothing, or other Stores thereunto belonging, or of which he may have charge;—— or

ARTICLE 32.

Who, at any post, or on the march, shall illegally and against the will of the parties extort money or property of any description, as fees or duties, or on any pretence whatever; or shall, without authority, exact from Villagers or others, carriage, porterage, or provisions;—— or

ARTICLE 33.

Who shall wantonly and intentionally defile any place dedicated to religious worship, or shall wantonly and intentionally insult the religious prejudices of other persons;

Shall, if an Officer, on conviction, be sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction before a General, District, or Garrison Ownt Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Provided, that such Offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by any Court Martial with Dismissal, Reduction, Imprisonment with or without hard labour, and with or without solitory confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 34.

Any Officer or Soldier, who, being under arrest or in confinement, shall leave his arrest or confinement before he is set at liberty by competent authority;—— or

ARTICLE 35.

Who shall malinger, feign or intentionally produce disease or infirmity; or intentionally delay his cure; or intentionally aggravate his disease or infirmity; —— or

ARTICLE 36.

Who shall, without orders, commit any waste, or spoil, or plunder, or shall injure or destroy any property; —— or

ARTICLE 37.

Any Soldier who shall, contrary to orders, when off duty, appear in or about Camp or Cantonments, or on occasion of visiting Towns or Bazars, carrying a Sword, Bludgeon, or other Weapon; — or

ARTICLE 38.

Who shall sell, pawn, or designedly or through neglect lose or injure his Horse, Arms, Clothes, Accourtements or Regimental Necessaries; or any of the above Articles entrusted or belonging to any other Soldier;

Shall, on conviction before a General, District, or Garrison, or Regimental Court Martial, be sentenced to suffer such punishment as such Courts Martial respectively are by these Articles of War empowered to award.

Provided that such offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Embezzlement; punishable by General Court Martial with Dismissal, Fine, and Imprisonment with or without hard labour, and with or without solitary confinement, of Officers and Soldiers.

ARTICLE 39.

Any Officer, or Soldier, who shall embezzle or fraudulently misapply any money entrusted to him on the public account, or for any Military purpose; or any Provisions, Forage, Arms, Clothing, Ammunition, or Military Stores, of whatever kind or description, the property of Government, entrusted to his charge; or who shall wilfully spoil such property, or suffer it to be spoiled, or shall be concerned in or connive at any such embezzlement or fraudulent misapplication;

Shall, on conviction before a General Court Martial, be Dismissed the Service, and fined to the extent of his arrears of Pay and Allowances; and be further liable to suffer Imprisonment with

or without hard labour for a term which may extend to three years, and with or without solitary confinement (to be regulated as aforesaid.)

Disgraceful Conduct; punishable by General or District Court Martial, with Corporal Punishment, or Imprisonment with or without hard labour and solitary confinement, and in addition with forfeiture of additional Pay and of Pension on discharge, and stoppages, of Non-Commissioned Officers and Soldiers.

ARTICLE 40.

Any Soldier who shall be guilty of disgraceful conduct;

In wilfully maining or injuring himself, or any other Soldier at the instance of such Soldier, with intent to render himself or such Soldier unfit for the Service, or with intent to take his own life;

or

ARTICLE 41.

In purloining or selling Government Stores;

ARTICLE 42.

In stealing money or goods, the property of a Soldier, or of a Military Officer, or of any Military Mess, or of any person or persons belonging to or serving with or attached to the Army;——or

ARTICLE 43.

In plundering or injuring property placed under his charge as Sentry, or in charge of his Guard, or in conniving at the plunder or injury of such property; —— or

ARTICLE 44.

In embezzling or fraudulently misapplying public money entrusted to him for any Military purpose; —— or

ARTICLE 45.

In committing any petty offence of a fraudulent or dishonest nature, to the injury of or with intent to injure the Government, or any person, Civil or Military; —— or

ARTICLE 46.

Who shall be guilty of any other disgraceful conduct, being of a cruel, indecent, or unnatural kind;

Shall, on conviction before a General, or District, or Garrison Court Martial, be liable to suffer such punishments as any such Courts are by these Articles of War respectively empowered to award for disgraceful conduct.

'And every such offender shall, if not dismissed the service, further be put under stoppages, by sentence of the Court, not exceeding half of his monthly Pay and Allowances; until the amount be made good of any loss or damage arising out of his misconduct.

And if such offender shall be Dismissed the Service, he shall further be sentenced to forfeit his arrears of Pay and Allowances due at the time of his discharge, or in such proportion as may be required to make good such loss or damage.

Crimes punishable by General Court Martial with Suspension or Reprimand of Officers, or by any Court Martial with Dismissal, Reduction, or Simple Imprisonment with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 47.

Any Officer, or Non-Commissioned Officer who shall strike or otherwise ill-treat any Soldier;

ARTICLE 48.

Any Sentry who, in time of peace shall sleep upon his Post; or shall leave it before regularly relieved or without leave;—or

ARTICLE 49.

Any Officer, or Soldier, who shall knowingly enlist a Deserter, or connive at his enlistment;

ARTICLE 50.

Who, directly or indirectly, shall require or accept a bribe, present, or gratification, on the pretence of, or as a consideration for procuring leave of absence, promotion, or any other advantage or indulgence for any Officer or Soldier;

ARTICLE 51.

Who, being in Command at any Post, or on the march, on complaint made to him of any person under his command beating or otherwise ill-treating any person; or extorting from him more than he is obliged to furnish by authority, or disturbing fairs or markets, or committing any kind of riot; shall not see reparation done to the part for parties injured; or, if that be impracticable, shall not report the same to his Superior Officer;—or

ARTICLE 52.

Who, being in Command of a Guard, shall refuse to receive any Prisoner duly committed to his charge; or shall without proper authority release any prisoner, or shall suffer, through carelessness or neglect, any prisoner to escape;—or

ARTICLE 53.

Who shall quit his Guard, or Picquet, in time of peace, without being regularly relieved, or without leave;——or

ARTICLE 54.

Who shall impede the Provost Marshal, or his Assistants, or any other Officer or person legally exercising authority;—or refuse to assist him when requiring his aid in the execution of his duty;—or

ARTICLE 55.

Who, being on leave of absence, shall have received information from the Head Quarters of his Regiment, or from other competent authority, that his Regiment has been ordered on service, and shall not rejoin without delay;—or

ARTICLE 56.

Who, in time of peace, shall, by discharging fire arms, drawing swords, beating drums, or by any other means whatever, intentionally occasion false alarms in Camp, Garrison, or Cantonments;

ARTICLE 57.

Who shall fail to repair at the time fixed to the parade, or place appointed, for exercise or duty, if not prevented by sickness or some other sufficient cause:—or

ARTICLE 58.

Who shall, without urgent necessity, or without leave of his Superior Officer, quit his Company, or Troop, or the Parade;—or

ARTICLE 59.

Who shall absent himself without leave; or shall, without sufficient cause, overstay the period for which leave may have been granted him;——or

ARTICLE 60.

Any Soldier who shall be found two miles from the Camp contrary to orders;——or

ARTICLE 61.

Who shall, contrary to orders, he absent from his Cantonment after tatoo, or from Camp after retreat beating;—or

ARTICLE 62.

Who shall sell, lose, or designedly, or through neglect, waste the ammunition delivered out to him:

Shall, if an Officer, on conviction, be sentenced to Suspension from Rank and Pay and Allowances; or to be Reprimanded in such manner as the Commander in Chief may direct;

And, if a Soldier, shall, on conviction before a General, or District, or Garrison, or Regimental Court Martial, be sentenced to suffer such punishment as any such Courts Martial are by these Articles of War respectively empowered to award;

Provided that such offender shall not be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

ARTICLE 63.

All crimes not capital, and all disorders or neglects which Officers or Soldiers may be guilty of, to the projudice of good order and Military discipline, though not specified in these Articles, are to be taken cognizance of by Courts Martial, and to be punished according to the nature and degree of the offence, by the Sentence of a General, or District, or Garrison, or Regimental Court Martial; provided that a Soldier shall not for any such offences be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

Crimes incident to Courts Martial; punishable by General Court Martial with Dismissol or Suspension of Officers, and by any Court Martial with Dismissal or Reduction of Non-Commissioned Officers, and with Dismissal or Simple Imprisonment of Soldiers.

ARTICLE 64.

Any person amenable to these Articles of War, who, when duly summoned before a Court Martial, shall not attend, or shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or who shall induce any other person so to offend;

Shall be punished according to the Sentence of the same or another Court Martial, with Dismissal, or Suspension from Rank and Pay and Allowances, if a Commissioned Officer; with Dismissal, or Reduction to the ranks, if a Non-Commissioned Officer; or with Dismissal, or Imprisonment, if a Soldier;

Provided that such person, being a Commissioned Officer, shall not be liable to be punished by any but a General Court Martial; and that no offender punished under the provision of this Article of War shall be sentenced to suffer Imprisonment with hard labour, or Corporal Punishment.

ARTICLE 65.

Any person not amenable to these Articles of War, who, having been summoned before any Court Martial, shall refuse or neglect to attend; or who, attending, shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or shall give such testimony as, if given in a Criminal Court, would render him guilty of perjury; or who shall induce any other person so to offend;

Shall be delivered to a Magistrate to be proceeded against according to law.

ARTICLE 66.

Any person using menacing or disrespectful words, signs, or gestures, in the presence of a Court Martial then sitting, or causing any disorder or riot so as to disturb their proceedings;

Shall be punished according to the condition of the offender and the nature and degree of his offence, by the Sentence of the same or another Court Martial, if he be amenable to these Articles of War; provided that such offender shall not be liable to be sentenced to Corporal Punishment or to Imprisonment with hard labour; and if not amenable to these Articles of War, the offender shall be delivered over to a Magistrate to be proceeded against according to law.

Perjury; punishable by General or District Court
Martial with Dismissal, and in addition with
Fine, or simple Imprisonment, of Officers and
Soldiers.

ARTICLE 67.

Any Officer, or Soldier, who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any General, or other Court Martial, or any Military Court entitled to administer an oath; or of inducing any other person so to offend;

Shall be Dismissed the Service, and shall be further subject to Fine to the amount of his arrears of Pay and Allowances, or to Imprisonment which may extend to three years;—according to the Sentence of a General, or District, or Garrison Court Martial.

Crimes admitting of less serious notice. ARTICLE 68.

Whereas it may be advisable that some of the offences which by the foregoing Articles are directed to be tried by a General, or District, or Garrison Court Martial, should, in certain cases which admit of less serious notice, be tried by District, or Garrison, or Regimental Courts Martial-in such cases the Officer Commanding the Regiment or Corps to which the offender belongs may, if he thinks it expedient and for the good of the Service, order the offender to be tried by Regimental Court Martial, for any offence ordinarily cognizable by District, or Garrison Court Martial; making however a report in every such case, for the information of the General Officer Commanding the Division, of the reasons of his having so proceeded; or such Commanding Officer may lay a particular statement of the case before the General or other Officer having authority to convene General, or District, or Garrison Courts Martial, under whose command such offender may be serving, with an application for permission to try the offender by District, or Garrison, or Regimental Court Martial; and such General or other Officer will exercise his discretion in complying or not with such application; but the permission of such General or other Officer so to proceed, shall be entered upon the proceedings at the trial of such offender.

Provided that MUTINY shall not be considered one of the offences admitting of such discretionary investigation.

And that in cases where offences designated "Disgraceful Conduct" in these Articles of War, and admitting of less serious notice, shall be tried by Regimental Courts Martial, the term "Disgraceful Conduct" shall be omitted in the Charge; and the offender shall on conviction be liable to

suffer such punishment as a Regimental Court Martial is by these Articles of War empowered to award.

Offences on the Line of March or on board Vessels.

ARTICLE 69.

For offences committed on the Line of March, or on board any Ship or other Vessel, the Officer in Command of the Troops is hereby authorized to try any Soldier by a Regimental, or Detachment Court Martial, and to confirm and execute the Sentence on the spot;

Provided that such Sentence shall in no case exceed that which a Regimental Court Martial is competent to award;—and that the proceedings held in all such cases shall be transmitted for the information of the Commander in Chief.

SECTION III.

Administration of Justice.

ARTICLE 70.

Whenever any Officer or Soldier shall commit a crime deserving punishment by Court Martial, he shall, by his Commanding Officer, be put under arrest, if an Officer or Non-Commissioned Officer; or if a Soldier, be confined; until he shall be either tried by a Court Martial, or shall be lawfully discharged by a proper authority; and no Officer or Soldier who shall be put in such arrest or confinement shall continue in his confinement longer than may be actually unavoidable.

And such process of arrest or confinement, or an attempt to effect such process, shall in no case be omitted where it may be practicable;—but where resistance may be made, or from other circumstances such process may be impracticable, the offender or offenders shall be liable to trial and punishment at any subsequent period, within the limitations provided in these Articles of War.

ARTICLE 71.

No person shall be liable to be tried or punished for any offence against these Articles, which shall appear to have been committed more than three years previous to the order directing the assembly of the Court Martial whereby he is to be tried, unless the person accused, by reason of his absenting himself, or some other manifest impediment, shall not have been amenable to justice within that period; in which case such person shall be liable to be tried, at any time not exceeding two years after the impediment shall have ceased.

ARTICLE 72.

Any person amenable to these Articles of War, who may commit any offence against the same, may be tried and punished for such offence in any place within the British Territories, or elsewhere, where he may have come after the commission of the offence, in the same manner as if the offence had been committed where such trial shall take place.

ARTICLE 73.

The Commander in Chief at the Presidencies of Fort William, Fort Saint George, and Bombay respectively for the time being, may appoint General or other Courts Martial, and confirm, and mitigate or commute, or remit the Sentences of such Courts; and may issue his Warrant to any General or other Officer having the Command of a Body of Troops in the zervice of Her Majesty, or of the East India Company, empowering such

Officer to appoint General, or District, or Garrison Courts Mertial as occasion may require, for the trial of offences committed by any of the Officers, or Soldiers, or Followers in the service of the said Company, being Natives of the East Indies, or of other places within the limits of the said Company's Charter, and to confirm, and mitigate or commute, or remit the sentences of such Courts Martial.

ARTICLE 74.

A General Court Martial shall not consist of less than thirteen Commissioned Officers, unless it be held out of the East India Company's Territories, where such Court Martial may consist of seven Commissioned Officers, if a greater number cannot be conveniently assembled. And no sentence of a General Court Martial shall be put in execution until after a report shall have been made of the whole proceedings to the Commander in Chief, or to some other person duly authorized to confirm the same, and until his directions shall have been signified thereupon.

Powers of a General Court Martial. * ARTICLE 75.

A General Court Martial may sentence any Officer or Soldier to Death or Transportation, for any crimes which are by these Articles of War expressly made liable to sentence of Death or Transportation, and for such crimes only.

And when a Commissioned Officer shall be convicted of any offence, of which the punishment is not defined in these Articles of War, or is left discretionary, a General Court Martial may adjudge such Officer to be Dismissed the service;—or to be Suspended from Rank and Pay and Allowances, for a stated period;—or to be Placed lower on the list of his rank, by an alteration of the date of his Commission, thereby losing the corresponding benefit of length of service; and the Court shall in every such sentence specify the extent or degree of Suspension or Reduction, which they shall so adjudge;—or the Court may sentence such Officer to be Reprimanded in such manner as the Commander in Chief may direct.

And a General Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks;—or may sentence any Non-Commissioned Officer or Soldier to be Dismissed the service;—or to be Placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,) or may sentence any Soldier to suffer Corporal Punishment not exceeding fifty lasher;—or Imprisonment with or without hard labour not exceeding two years ; - and to be kept in solitary confinement for any portion or portions of such Imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement, of not less duration than such periods of solitary confinement. Provided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martial, or by order of his Commanding Officer.

And a General Court Martial may, in addition either to Corporal Punishment, or to Imprisonment, as aforesaid, sentence a Soldier to Forfeiture of all advantage as to additional Pay and to Pension on discharge, which might have otherwise accrued from the length or nature of his former service; or to Forfeiture of such advantage abso-

lutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And a General Court Martial may, in addition to the punishment of Dismissal, sentence any Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required, to make good any loss or damage arising out of his misconduct;—And, in addition to any punishment not involving Dismissal from the service, may sentence any Officer or Soldier to be put under Stoppages not exceeding two-thirds of his Pay and Allowances in the case of an Officer, and not exceeding half of his Pay and Allowances in the case of a Non-Commissioned Officer or Soldier, until the amount of such loss or damage be made good.

Confirmation and Commutation of Sentence by the Communder in Chief.

ARTICLE 76.

In cases wherein a Sentence of Death shall have been awarded by a General Court Martial, for any offence against discipline for which sentence of Death is awardable under these Articles of War, the Commander in Chief may confirm such Sentence and cause it to be carried into effect, or may, instead of causing such Sentence to be carried into effect, order the offender, if an Officer, to be Transported for life, or to be Imprisoned for any term of years, or to be Dismissed; and, if a Soldier, to be Transported for life, or to be Imprisoned with or without Hard Labour either for life, or for a certain term of years, and with or without solitary confinement, (to be regulated as aforesaid,) as to the Commander in Chief may seem meet.

In cases of Commissioned Officers Sentenced to Transportation, the Commander in Chief may in lieu thereof order the offender to be imprisoned for any term of years, or to be Dismissed. And in cases of Commissioned Officers Sentenced to be Dismissed from the service, the Commander in Chief may, in lieu of such Punishment, direct, that the offender be Suspended from Rank and Pay and Allowances for a certain period to be distinctly specified by the Commander in Chief.

And the Commander in Chief may commute a Sentence of Transportation passed on a Soldier, to Imprisonment with or without Hard Labour, and with or without Solitary Confinement (to be regulated as aforesaid); and such Imprisonment may be either for the same period for which Transportation shall have been awarded, or for any lesser period.

And the Commander in Chief may commute a Sentence of Corporal Punishment to Dismissal from the service; or, in the case of a Non-Commissioned Officer may mitigate such Sentence to Reduction to the ranks; or in the case of a Non-Commissioned Officer or Soldier may commute such Sentence to Imprisonment without Hard Labour, and with or without Solitary Confinement (to be regulated as aforesaid,) for any period not exceeding two years.

In cases of Non-Commissioned Officers Sentenced to be *Dismissed* from the service, the Commander in Chief may, in lieu of such punishment, direct that the offender be Reduced to the

ranks, or placed lower in the list of the rank which he holds; (which shall not involve any forfesture of service or other advantage, except that of standing.)

And in cases of offenders Sentenced to Imprisonment with Hard Labour, the Commander in Chief may mitigate such Sentence by causing the offender to be Reduced to the ranks, in the case of a Non-Commissioned Officer; or in the case of a Non-Commissioned Officer or Soldier by directing that he be Dismissed from the service; or suffer Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid.) for any period not exceeding that for which he shall have been Sentenced to such Imprisonment with Hard Labour.

ARTICLE 77.

A District, or Garrison Court Martial shall consist of not less than Seven Commissioned Officers, except in situations where that number cannot be conveniently assembled, when such Court may consist of not less than Five Commissioned Officers. And such District, or Garrison Court Martial may be composed of Officers of the same Regiment, and shall be assembled in conformity with the orders of the Commander in Chief.

And the Sentence of a District, or Garrison Court Martial shall be confirmed by the Commander in Chief, or by some Officer duly authorized to confirm the same.

Commutation of Sentence.

And the Commander in Chief is empowered to remit, or mitigate, or commute the Sentences of such Courts Martial, in the same manner as the Sentences of General Courts Martial; and to delegate to or withhold from Commanding Officers the power of convening such Courts Martial, and of confirming, remitting, mitigating, or commuting the Sentences of such Courts (not including forfeiture of pay or pension or other advantage), as the Commander in Chief may deem to be most expedient.

And in case of any Sentence, including forfeiture of additional Pay or of Pension on Discharge, or of any prospective advantage, such Sentence shall not be carried into effect until confirmed by the Commander in Chief; and all forfeitures of any present or prospective advantage shall be restorable by the same authority.

Powers of a District or Garrison Court Martial. * ARTICLE 78.

A District or Garrison Court Martial may Sentence any Non-Commissioned Officer to be Reduced to the ranks,—or may Sentence any Non-Commissioned Officer or Soldier to be Dismissed from the Service; or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing;) or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment with or without Hard Labour not exceeding one year, and to be kept in Solitary Confinement (to be regulated as aforesaid.)

And such Court Martial may, in addition either to Corporal Punishment or to Imprisonment as aferesaid, Sentence a Soldier to forfeiture of all advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued

from the length or nature of his former service, or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages not exceeding half of his Pay and Allowances, until the amount of such loss or damage be made good.

ARTICLE 79.

A Regimental Court Martial shall consist of not less than Five Commissioned Officers, (unless it be found impracticable to assemble that number, when Three may be sufficient:) and shall be assembled by order of the Officer Commanding the Regiment. And no Sentence of a Regimental Court Martial shall be of force until the Commanding Officer shall have confirmed the same. Provided that such Commanding Officer shall have power to remit all Sentences whatever passed by such Court, and thereupon to cause the offender to be released and to return to his duty.

Commutation of Sentence.

And such Commanding Officer shall have power to confirm and carry into effect or to mitigate all Sentences whatever passed by such Court; and to commute a Sentence of Carporal Punishment to Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid,) for any period for which such Court is competent to Sentence an offender to suffer Imprisonment and in the same manner; and to mitigate a Sentence of Dismissal in the case of a Non-Commissioned Officer, to Reduction to the Ranks;—and to commute a Sentence of Imprisonment with Hard Labour, to Dismissal; or to mitigate such Sentence to Reduction to the Ranks; or to Imprisonment without Hard Labour.

Powers, of a Regimental Court Martial. * ARTICLE 80.

A Regimental Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks;—or may sentence any Non-Commissioned Officer or Soldier to be dismissed from the service;—or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,)—or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment, with or without hard labour, for any period not exceeding six calendar months; and to be kept in solitary confinement (to be regulated as aforesaid.)

Any such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages not

exceeding half of his Pay and Allowances, until the amount of such foss or damage be made good.

, ARTICLE 81.

An Officer Commanding any Detachment of his own Regiment, may assemble Regimental Detachment Courts Martial;—and an Officer Commanding a Detachment consisting of men of different Corps, may assemble Detachment or Line Courts Martial;—and all such Courts shall be constituted in the same manner as Regimental Courts Martial under the provisions of these Articles of War, and shall have the like powers.

And the provisions of these Articles of War relating to Courts Martial held in Regiments, shall be taken to apply to Courts Martial held in Detachments, in all practicable cases.

Provided that no Officer on detached Command of less than four Troops or Companies, or of Detachments numerically equal to four Troops or Companies, and not being on the line of march or on board any ship or other vessel, shall carry into effect any punishment awarded by a Court Martial held by his order, until the Sentence shall have been confirmed by the Officer Commanding the Regiment to which the offender belongs, or by the nearest Superior Officer holding a Command of not less than a Regiment ;- (who is hereby authorized to confirm the same, in like manner, as an Officer Commanding a Regiment is empowered to do;)--Except in detached situations beyond Sea or out of the British Territories, or when on Service in the field, or in cases where an immediate example is necessary and reference cannot be made to such Commanding or Superior Officer without detriment to the Service; when the Officer Commanding such Detachment may exercise the powers which are vested in an Officer Commanding a Regiment.

ARTICLE 82.

At all Courts Martial, it shall be competent to the Officer convening the Court to instruct the Court, that, should the Prisoner be found guilty, and Imprisonment form a part of the Sentence, no portion of the Imprisonment should be Solitary;—or, should Corporal Punishment be awardable to the offender, that it shall not be awarded in the particular case; and the Court will govern itself accordingly; and such instruction shall be in writing, and shall be attached to the proceedings of the Court.

Execution of Sentences of Courts Martial. ARTICLE 83.

In every sentence of Death awarded by a General Court Martial, the Court shall specify that the offender shall "suffer death by being hanged by the neck until he be dead," or "by being shot to death," as the Court in their discretion shall deem expedient; and such sentence, if confirmed, shall be carried into effect accordingly.

ARTICLE 84.

Whenever the sentence of a General Court Martial shall adjudge Transportation, or sentence of Death shall be commuted by competent authority to Transportation, any of the Sudder Courts shall give effect to such sentence, or commuted sentence, on the same being certified to the Court under the authority of the Commander in Chief.

And whenever any sentence of a Court Martial shall adjudge Imprisonment with hard labour, or with Solitary confinement, or both, or whenever the sentence of a Court Martial shall be commuted

to any such Imprisonment, it shall be the duty of every Judge, Magistrate, Sheriff, or other Officer in charge of a Jail, to give effect to such sentence, on the offender being delivered into his custody, and on being furnished with a copy of the sentence by the Officer Commanding the Station or Regiment or Detacament, within which the trial is held.

ARTICLE 85.

Whenever any Soldier shall be sentenced to Imprisonment for life, or a sentence of Death shall be commuted to Imprisonment for life, it shall be lawful for the Commander in Chief to order such offender to be Transported beyond sea for life, and such order shall thereupon be made, unless there should be special reasons inducing the Commander in Chief to think such prisoner not a proper subject for Transportation.

ARTICLE 86.

Persons sentenced to Imprisonment by Courts Martial shall be imprisoned in any public prison or in any other fit place which the Commander in Chief shall from time to time direct.

ARTICLE 87.

Every Soldier sentenced to Imprisonment with hard labour, shall, previous to undergoing such punishment, be struck off the strength of his Corps from the date of confirmation of such sentence; and no Soldier who has undergone such punishment for any period shall be capable of being re-admitted in the ranks, or of receiving pension on discharge.

ARTICLE 88.

Offenders sentenced to Dismissal for disgraceful conduct;

And offenders subject to Corporal Punishment, or to Imprisonment with hard labour for disgraceful conduct shall, on any such sentence being confirmed, be Dismissed with Ignominy.

ARTICLE 89.

In every case wherein a fine, or forfeiture of arrears of pay, or stoppages shall be adjudged by a Court Martial, any pay or public money due to the offender, or that may become due to him, shall be available, with the sanction of the Commander in Chief, for the payment of the amount so adjudged.

And no Soldier sentenced to pay a fine or to stoppages to make good any loss or damage arising out of his misconduct, shall be continued under forfeiture or stoppages under any one such sentence for any period exceeding one year; and no Soldier shall be at any one time placed under forfeiture or stoppages exceeding in the whole the amount of half of his Pay and Allowances, nor be liable to be put under stoppages prospectively while actually under stoppages to the amount of half of his Pay and Allowances.

Forms of Proceeding.

ARTICLE 90.

Trials by Courts Martial may be carried on between the hours of six in the morning and four in the afternoon, and not otherwise, except in cases which may require an immediate example.

ARTICLE 91.

At General Courts Martial a Judge Advocate, or an European Officer of not less than ten years service, shall be appointed to conduct the proceedings.

At all Courts Martial inferior to General, an European Officer of not less than four years

standing in the service, except in cases where no Officer of that standing may be eavailable, or the Adjutant of the Regiment, shall be appointed to conduct the proceedings.

ARTICLE 92.

An Interpreter shall be appointed to all Courts Martial; and any Interpreter or other competent person available at the Station where the Court Martial may sit shall be appointed as occas on may require by the Officer Commanding at such Station, on application from the Judge Advocate or Superintending Officer at such Court Martial. But in situations where the services of an Interpreter or other competent person are not available, the Superintending Officer at the Court Martial shall perform the duty of Interpreter.

ARTICLE 93.

At all Courts Martial the Senior Officer shall sit as President without being so appointed by Warrant. Provided that all Subadar Majors are to take precedence according to the dates of their Commissions, and above all Native Officers holding the rank of Subadar or Jemadar; and that Sirdar Bahadoors and Bahadoors shall rank only according to their respective Commissions of Subadar Major, Subadar, or Jemadar. Rissaldars and Rissaldars with Jemadars, according to the dates of their respective Commissions.

In case of the death or unavoidable absence of the President, the next Senior Member shall take the place of President, and the trial shall proceed, provided that the Court shall still consist of at least the number of Members of which such Court is directed to consist by these Articles of War.

ARTICLE 94.

No Finding or Sentence of a Court Martial shall be revised more than once, and no Evidence shall be received on such revision. For the purpose of such revision the President and all the Members shall be convened if possible. But if any of them should be unavoidably absent, the remaining Members may proceed with such revision, provided they are not fewer than the smallest number directed in these Articles respectively. When all the same Members do not meet, the circumstances are to be duly certified on the face of the proceedings.

Manner of Voting.

ARTICLE 95.

All the Members of a Court Martial are to preserve order, and in giving their votes upon all matters are to begin with the youngest; and in all cases where a sentence of death may not be awarded, the decision shall be by the majority of Members present, provided the number of Members present be not less than that required by the preceding Articles; but in case of an equality of votes, the decision shall be in favor of the prisoner; the President at a Court Martial shall vote with the other Members, but shall have no casting vote. Provided, that in cases of an equality of votes upon other questions than the finding and the sentence, the President shall have a casting vote.

ARTICLE 96.

No sentence of death shall be given against any offender by a Court Martial, unless two-thirds of the Members present concur therein, or four where the Court consist of five Members, or five where the Court consist of seven.

Affirmations,

On the assembly of a Court Martial, the Judge Advocate or Superintending European Officer shall administer to the Interpreter the following Solemn Affirmation:

"I, A. B, solemnly affirm in the presence of Almighty God, that I will faithfully interpret and translate the proceedings of the Court, and that I will not divulge the sentence until it shall have been published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court unless required to give evidence thereof by a Court of Justice or Court Martial, in due course of Law."

In case of the unavoidable absence of an Interpreter, the European Superintending Officer of a Court Martial inferior to General, shall make the the Solemn Affirmation prescribed for the Interpreter.

The Judge Advocate or Superintending Officer shall then cause the following Solemn Affirmation to be made by each Member:

"I, A. B., solemnly affirm in the presence o "Almighty God, that I will duly administer justice "according to the Articles of War, without partiality, favour, or affection, and, if any doubt shall arise, then, according to my conscience, the best of my understanding, and the custom of War in the like cases, and that I will not divulge the sentence of the Court until it shall be published by authority; and further, that I will not disclose or discover the vote or opinion of any particular "Member of the Court, unless required to give evidence thereof by a Court of Justice or a "Court Martial in due course of Law."

The following Solemn Affirmation shall then be administered by the Interpreter to the Judge Advocate or Superintending Officer:

"I, A. B., solemnly affirm in the presence of Almighty God. that I will not upon any account whatsoever disclose or discover the vote or opinion of any particular Member of the Court Martial, unless required to give evidence thereof as a witness by a Court of Justice, or a Court Martial in due course of law, and that I will not, unless it be necessary for the due discharge of my official duties, disclose the sentence of the Court, until it shall be published by authority."

Provided, that it shall be necessary to re-administer these Solemn Affirmations on the commencement of fresh trials before the same Court.

ARTICLE 98.

All persons who give evidence at a Court Martial are to be examined on Oath according to the forms of their respective religions or on Affirmation—and persons of the Hindoo or Mahomedan persuasion and other persons making Affirmation, shall make Affirmation to the following effect:

"I solemnly affirm, in the presence of Almighty "God, that what I shall state shall be the truth, "the whole truth, and nothing but the truth."

And if any person making such Affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn would have amounted to perjury, every such offender shall be subject to the same punishment to which persons convicted of perjury are subject.

Summoning Witnesses not amenable to these Articles Article 99.

In all cases where persons required as witnesses before a Court Martial, may not be amenable to Military Law, the Judge Advocate or Commanding Officer shall transmit to the Magistrate within whose jurisdiction the witness may reside, his summons for the attendance of such person, and the Magistrate shall cause the witness to be duly summoned.

Powers and Duties of Provost Marshals. ARTICLE 100.

For the prompt and instant repression of all irregularities and crimes which may be committed by Troops in the Field and on the Line of March, Provost Marshals shall be appointed by the Commander in Chief, and their Powers shall be regulated according to the established Usages of War and Rules of the Service; their duties are to take charge of Prisoners confined for offences of a general description; to preserve good Order and Discipline; to prevent Breaches of both, by Soldiers and Followers of the Army, and to punish on the spot, on the same day, those whom they may find in the immediate act of committing Breaches of good Order and Military Discipline; Provided, that the punishment be limited to the necessity of the case, and shall accord with the orders which the Provost Marshals may from time to time receive from the Commander of the Forces in the Field, and that whatever may be the crime, the Provost Marshal or his Assistant shall see the offender commit the act, for which summary punishment may be inflicted, or if the Provost Marshal or his Assistant should not see the offender actually commit the crime, but that sufficient proof can be established of the offender's guilt, a Report shall be made to the Commander of the Army in the Field, who is hereby empowered to deal with the case as he may deem most conducive to the maintenance of good Order and Military The duties of Provost Marshals being Discipline. limited to the punishment of offenders whom they may detect in the actual commission of any crime, the General Commanding the Forces in the Field will cause them to exercisee the powers entrusted to them in such manner and under such circumstances as he may consider best calculated to prevent and instantly to repress crimes injurious to the Discipline of the East India Company's Army and the Public Service.

Trials by European Courts Martial. ARTICLE 101.

At any Presidency where the Native Troops have hitherto been authorized to claim to be tried by European Courts Martial, every person amenable to these Articles of War, and who may be under orders for trial by a Court Martial, shall have the right to claim to be tried by European Officers; and should he make such claim, the Court, whether General, District, or Garrison, or Regimental, shall be composed of European Commissioned Officers, and the number of Members and the proceedings shall be governed in all respects by the provisions of these Articles.

And it shall be competent to the Governor General of India in Council by a General Green to authorize the Native; Troops of any: of the Presidencies to claim to be tried in like measure by European Courts Martial.

SECTION IV.

Effects of the Dead. * ARTICLE 102.

When any Officer or Soldier, or any person receiving public pay drawn by any Officer in charge of a Public Department belonging to the Army, may die, or be killed in the service, the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, shall, if no Heir or Executor be present, secure his Effects, and direct an inventory thereof to be taken, a duplicate of which is to be lodged in the Office of the Adjutant, or Officer in charge of the Department.

* ARTICLE 103.

If there he no Heir or Executor on the spot, the Effects are to be publicly sold; the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, after discharging the debts of the deceased, viz. the expense of Funeral Ceremonies, his Debts in Camp or Quarters, and Regimental Debts of every description, shall account for the residue to the Heir or Heirs declared by Will, whether written or verbal, or nominated in the Regimental Register, or in failure of such to the legal representative of the deceased; and in the event of no Executor, Heir, or other representative of the deceased attending and establishing his claim within twelve months from the date of the casualty, the amount in the hands of the Officer having charge of the Estate, is to be remitted to the General Treasury at the Presidency.

SECTION V.

Miscellaneous. ARTICLE 104.

The Effects of Deserters are to be publicly sold, and the proceeds after payment of Regimental Debts, remitted by the Officer Commanding the Corps to which the Deserter belongs, to the General Treasury at the Presidency, or appropriated according to the rules obtaining at such Presidency.

ARTICLE 105.

All powers and provisions contained in these Articles relating to the Commander in Chief, shall be construed to extend to the Commander in Chief at any Presidency, and to the Officer Commanding the Forces for the time being at any Presidency, unless when otherwise provided.

All powers and provisions contained in these Articles relating to Soldiers, shall be construed to extend to Non-Commissioned Officers, unless when otherwise provided.

ARTICLE 106.

When any portion of the Troops belonging to one Presidency shall be serving within the limits of another Presidency, such Troops shall be considered as placed, during such service, under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency within which they are serving, for all the purposes of these Articles of War, in the same manner as though they belonged to such Presidency; and all the provisions of these Articles of War, which relate to the trial and punishment of offenders belonging to the Presidency within which the trial and punishment of offenders amenable to the trial and punishment of offenders amenable to

these Articles of War serving within such Presidency. Provided always, that it shall be lawful for the Governor General in Council in his executive capacity, to direct that the Troops, or any part thereof of any Presidency, whilst serving without the limits of such Presidency shall continue under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency to which they belong for all purposes of these Articles.

ARTICLE 107.

Any Officer Commanding any portion of the East India Company's Troops which may at any time be serving in any place out of Her Majesty's Dominions, or of the Possessions or Territories which are or may be under the Government of the said Company, or of the Territories of those States in alliance with the said Company in which the said Company's Forces are permanently stationed, shall, upon complaint made to him of any offence committed against the property or person of any inhabitant or resident in any such countries, by any person serving with or belonging to the Company's Army, being under the immediate Command of any such Officer, summon and cause to assemble a General Court Martial, which shall consist of not less than three Officers, for the purpose of trying any such person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts Martial; and every such Court Martial shall have the same powers in regard to summoning and examining witnesses, trial of, and sentence upon any such offenders as are granted by these Articles to General Courts Martial; provided that no sentence of any such Court Martial shall be executed until the General Commanding in Chief the Army to which the Division, Brigade, Detachment, or Party to which any person so tried, convicted and adjudged to suffer punishment shall belong, shall have approved and confirmed the same; except where such sentence shall not exceed the powers granted by these Articles to a District, or Garrison Court Martial, in which case the Officer by whom the Court is convened is hereby authorized to confirm or commute, or mitigate, or remit the same; reporting the proceedings to the said General Commanding in Chief.

ARTICLE 108.

General Courts Martial only shall have the power to try Commissioned Officers; or to pass Sentence of Death or Transportation on any offenders.

ARTICLE 109.

No person, being acquitted or convicted before a Court Martial of any offence, shall be liable to be tried a second time by the same or any other Court Martial for the same offence. Provided always, that after a Soldier shall have been found guilty by a Court Martial of any military offence, such Court Martial shall inquire into and receive evidence of any previous conviction of such Soldier before a Court Martial or a Court of Justice, and shall enquire into the general character of such Soldier; for the purpose of affixing the punishment to which he is liable to be sentenced for the offence of which he has been so found guilty.

Provided that no such evidence shall in any case be received until the Court shall have ascertained that such Soldier had previously to his trial received notice of the intention to produce such evidence on the same. And it is hereby directed that such notice shall be given to all Soldiers previous to trial.

* * ARTICLE 110.

No Non-Commissioned Officer shall be Reduced to the ranks but by the sentence of a Court Martial, or by order of the Commander in Chief of the Presidency to which the offender shall belong. Provided that no Non-Commissioned Officer shall be Reduced to the ranks for any limited period; nor Suspended from his tank; nor Reduced from a higher to a lower grade of Non-Commissioned Officer; nor sentenced to suffer Corporal Punishment or Imprisonment, without being first Reduced to the ranks.

* ARTICLE 111.

Any Officer or Soldier thinking himself wronged by his Superior or other Officer is to complain thereof to the Commanding Officer of his Troop or Company, by whom if the grievance be not redressed, such Officer, Non-Commissioned Officer, or Soldier, may complain to the Commanding Officer of his Regiment, who is hereby required to examine into such complaint, or remit it to his superior authority as the circumstances may require; but if the complaint should appear to be frivolous or groundless, the party preferring it shall be liable to be punished according to the sentence of a General or other Court Martial in manner hereinbefore mentioned; provided that such offender shall not be liable to be sentenced to Dismissal, nor to suffer Corporal Punishment or Imprisonment with hard labour.

ARTICLE 112.

In case of light offences, a Commanding Officer may, without the intervention of a Court Maitial, award extra drill with or without pack for a period not exceeding fifteen days; restriction to Barrack limits not exceeding fifteen days; confinement in the Quarter Guard or Defaulter's Room, not exceeding seven days; removal from Staff situations or acting appointments; or may order Soldiers to be employed in piling and unpiling shot; and in cleaning accourrements of men in Hospital; but none of these descriptions of punishment shall be awardable by Sentence of a Court Martial. And a Commanding Officer may award solitary confinement not exceeding seven days.

Provided that Soldiers in confinement shall be liable to be ordered to attend ordinary drill.

ARTICLE 113

Any Officer, or Soldier, who shall be taken prisoner by the Enemy, shall forfeit all claim to pay and allowances during the period of his remaining a prisoner and until he shall again return to the service; when, if he can establish, before a Court Martial, that he was unavoidably taken prisoner in the course of service, and resisted as long as he was able, and that he hath not served with or assisted the Enemy, and that he hath returned as soon as possible to the service, he shall be entitled to receive either the whole, or such portion of his arrears of pay and allowances as the Government of the Presidency to which he may belong shall determine, after the opinion or finding of such Court Martial shall have been confirmed by the Commander in Chief. And every Officer or Soldier in imprisonment under the sentence of a Court Martial, or a commuted sentence, or under the sentence of a Court of Criminal Judicature, shall, during the term of such imprisonment, receive subsistence only, to the amount of his pay proper, according to the rates of Pay granted to Officers and Soldiers of the Bengal Army.

SECTION VI.

Mode of dealing with offences not Military. ARTICLE 114.

In all places within the jurisdiction of any Civil Judicature, established by appointment of Her Majesty or of the said Company, Officers and Soldiers accused of capital crimes, or of violence, or of offences against person and property, punishable by such Civil Judicature, shall be delivered over to a Magistrate to be proceeded against according to Law.

And all Officers and Soldiers are hereby required to assist the Officers of Justice in apprehending and securing any person so accused.

Crimes to be tried by Courts Martial where no regular Criminal tribunals exist.

ARTICLE 115.

In any place within the limits of the Charter of the East India Company, whether in or out of the British Territories, where there may be no Civil Judicature appointed by Her Majesty or the said Company for the trial of persons accused of offences ordinarily cognizable by Civil Tribunals, such offences when committed by Officers or Soldiers shall be cognizable by Courts Martial.

ARTICLE 116.

General Courts Martial shall have cognizance ordinarily, of offences punishable with Death; Transportation for Life;

Imprisonment for Life;

Imprisonment for a period which may extend to fourteen years;

Imprisonment for a period which may extend to seven years.

ARTICLE 117.

District, or Garrison Courts Martial shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period which may extend to three years, and, by special order, of offences ordinarily cognizable by General Courts Martial not hable to the punishment of Death or Transportation, with power to sentence persons convicted of such offences to Imprisonment for any period not exceeding three years.

ARTICLE 118.

Regimental, Detachment, or Line Courts Martial, shall have cogmzance, ordinarily, of offences punishable with Imprisonment for a period not exceeding six calendar months, and, by special order, of offences ordinarily cognizable by District, or Garrison Courts Martial, with power to sentence persons convicted of such offences to Imprisonment for a period not exceeding six calendar months.

General Courts Martial.

Punishment of Death. ARTICLE 119.

Any Officer or Soldier who shall he convicted by a General Court Martial of the crime of "Murder" shall be sentenced to suffer Death by

being hanged by the neck until he be dead.

If any injury intended against one person shall, through mistake or accident, light upon another person, and kill him, such killing shall be deemed to be murder, whensoever it would have been murder had the person against whom such injury was intended been killed.

Whensoever death shall result from any injury wilfully caused by an offender, but without his intending such injury to light on any person in particular, such offender shall be guilty of murder, if the offence would have been murder had he intended to do the injury to the person killed.

Offences punishable by Transportation for Life. ARTICLE 120.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences hereinafter mentioned, accompanied with an attempt to commit murder, or with wounding or other Corporal injury to any person endangering the life of such person: That is to say,

1st.—Breaking, or attempting to break, by day or night, into any Dwelling House, Tent, Boat, or other habitation, or into any building or place used for the preservation of property, with the intent to rob or steal.

2nd.—Robbery or attempt to rob;

3rd.—Stealing or attempting to steal in a house, or from the person;

Shall be Sentenced by such General Court Martial to Imprisonment with or without hard labour and Transportation for life.

Offences punishable by Imprisonment which may extend to fourteen years.

ARTICLE 121.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences specified in the last Article, accompanied with wounding or other Corporal injury to any person not endangering the life of such person; —— or

ARTICLE 122.

Of wounding, or administering poison with intent to murder, whether the person wounded or to whom poison is administered, be the person whom the offender intended to murder or another;—— or

ARTICLE 123.

Of Robbery by open violence, or Dacoity, that is to say, going forth in the day or in the night with an offensive weapon, or in a gang with or without an offensive weapon, with the intention of committing robbery, and by force or intimidation robbing or attempting to rob any person in any place, or attacking by open violence any house, or place of habitation, or any place in which property may be kept, for the purpose of robbery:—— or

ARTICLE 124.

Of breaking, or attempting to break, into any Dwelling House, Tent, Boat, or other place of habitation, between sunset and sunrise, with intent to rob or steal;—or

ARTICLE 125.

Of breaking into any such place of habitation, or into any place used for the preservation of property, and stealing therefrom property the value of which shall exceed One Hundred Company's Rupees;—— or

ARTICLE 126.

Of purchasing or receiving plundered or stolen property, knowing it to have been obtained by robbery by open violence, or by theft or robbery aggravated as described in Article 120 or Article 121;

Shall be sentenced by such General Court Martial to imprisonment with or without Hard Labour for a period not exceeding fourteen years.

Offences punishable by Imprisonment not exceeding seven years.

ARTICLE 127. *

Any Officer or Soldier who shall be convicted by a General Court Martial of culpable Homicide not amounting to wilful murder;——or

ARTICLE 128

Of premeditated affray, attended with Homicide, or severe wounding, or other aggravating circumstance:—— or

ARTICLE 129.

Of intentionally wounding, maining, or otherwise doing Corporal injury to any person; —— or

ARTICLE 130.

Of accidentally wounding, maiming, or otherwise doing Corporal injury to any person, with the intention of doing such injury to another person;
—— or

ARTICLE 131.

Of breaking into any Dwelling House, Tent, Boat, or other place of habitation, or into any place used for the preservation of property, between sunrise and sunset, with intent to steal therein;

ARTICLE 132.

Of stealing from any habitation, or from any person, any property exceeding Three Hundred Company's Rupees in value; —— or

ARTICLE 133.

Of having purchased any property so stolen, exceeding in value Three Hundred Company's Rupees, knowing it to have been stolen;——or

ARTICLE 134.

Of Arson; —— or

ARTICLE 135.

Of an unnatural crime; —— or

ARTICLE 136.

Of Rape; --- or

ARTICLE 137.

Of enticing and taking away, or of causing to be enticed or taken away for any unlawful purpose, any unmarried woman under the age of fifteen years;—— or

ARTICLE 138.

Of stealing a child under the age of eight years;

ARTICLE 139.

Of counterfeiting, or causing or procuring the fraudulent fabrication or alteration of any written deed, or printed paper, of any description; of any counterfeit seal or signature thereto; or the illicit imitation of any public stamp or stamped paper, established by Government; or of fraudulently issuing and publishing as true, or of fraudulently giving effect, or attempting to give effect, to fabricated deeds and papers, knowing them to be forgeries; or of using, selling or disposing of such stamped paper, knowing the same to be counterfeit;—— or

ARTICLE 140.

Of forging or procuring to be forged any counterfeit Coin, in imitation of any of the Gold, Silver or Copper Coin of the British Government in India; or of any Coin usually received as money in the British Territories; or of clipping, filing, drilling or defacing any such Coin; or of paying or tendering in payment counterfeit Coin, Bank Notes or other Securities for money, knowing the same to be counterfeit, although such Notes or Securities shall be incomplete;

Shall be Sentenced by such General Court Martial to suffer Imprisonment with or without Hard Labour, for any period not exceeding seven years.

District or Garrison Courts Martial.

Offences punishable by Imprisonment not exceeding three years.

ARTICLE 141.

It shall be competent to the Commander in Chief, and to any Officer having authority to convene District or Garrison Courts Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which the punishment of Death, or Imprisonment or Transportation for Life is not provided therein, to be tried for such offences before a District, or Garrison Court Martial, and such Court shall have power, on conviction, to sentence any such offender to Imprisonment with or without Hard Labour for any period not exceeding three years.

ARTICLE 142.

Any Officer or Soldier who shall be convicted by a General, District, or Garrison Court Martial, of stealing from any habitation, or from the person, any property, of value not exceeding Three Hundred Company's Rupees but exceeding Fifty Company's Rupees;—or

ARTICLE 143.

Of having purchased or received any stolen property of value not exceeding Three Hundred Company's Rupees, knowing it to have been stolen, but not under aggravating circumstances;

ARTICLE 144.

Of having stolen property in his possession, and of having kept possession of such property after becoming aware of its having been stolen;

Shall be sentenced by such Court to suffer

Shall be sentenced by such Court to suffer Imprisonment with or without Hard Labour for any period not exceeding three years.

Regimental, Detachment, or Line Courts Martial.

Offences punishable by Imprisonment not exceeding six months.

ARTICLE 145.

It shall be competent to any Officer having authority to convene a Court Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which no punishment exceeding Imprisonment with Hard Labour for three years is therein provided, to be tried before Regimental, or Detachment, or Line Courts Martial, and any such Court shall have power, on conviction, to sentence any such offender to suffer Imprisonment with or without Hard Labour for any period not exceeding six calendar months.

Offenc's punishable by Imprisonment from six months to one year, according to the description of the Court.

ARTICLE 146.

Any Officer or Soldier who shall be convicted of stealing property to the value of Fifty Company's Rupees, or of less value;——or

ARTICLE 147.

Of Assault or Affray, unattended with Homicide, severe wounding, or aggravating circumstances:

Shall be sentenced to suffer Imprisonment with or without Hard Labour, for any period not exceeding one year, by the award of a General, or District, or Garrison Court Martial; or, for any period not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

Offences punishable by Imprisonment from six comments to two years, according to the description of the Court.

ARTICLE 148.

Any Officer or Soldier who shall be convicted of resisting the process of a Magistrate or Police Officer;—— or

ARTICLE 149.

Of having committed any offence against person or property for which provision is not already made in the preceding Articles of War;
Shall be sentenced to suffer imprisonment for

Shall be sentenced to suffer Imprisonment for any period not exceeding two years, by the award of a General Court Martial; not exceeding one year, by the award of a District, or Garrison Court Martial; and not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

ARTICLE 150.

Any Officer or Soldier who shall be convicted by a General, or District, or Garrison, or Regimental Court Martial, of having been present, aiding and abetting, or of having caused, instigated, or procured, the commission of any of the offences specified in any of the preceding Articles, shall be sentenced by such Court to the punishment therein provided for such offence, and awardable by General, or District or Garrison, or Regimental Courts Martial, respectively.

ARTICLE 151.

No sentence of Death shall be carried into effect until confirmed by the Commander in Chief, nor, if the trial shall have been held within the British Territories forming part of either of the Presidencies of Fort William, Fort St. George, and Bombay, respectively, until such confirmation shall have been concurred in by the Government of the Presidency where such trial shall have been held.

ARTICLE 152.

The Commander in Chief is authorized at his discretion to confirm any sentence of Death, or to remit such sentence, or to commute it into Imprisonment with hard labour and Transportation for life, or into Imprisonment with hard labour for any term of years.

ARTICLE 153.

No sentence of Transportation shall be carried into effect until confirmed by the Commander in Chief, and the Commander in Chief is authorized at his discretion to confirm any such sentence, or to commute it into Imprisonment with or without hard labour for any period of time.

ARTICLE 154.

It shall be competent to any Officer having authority to confirm the sentence of a General or other Court Martial to remit any sentence passed by such Court Martial, or to mitigate such sentence by substituting simple Imprisonment for imprison-

ment with hard labour, or by reducing the period of Imprisonment, or by directing the discharge of the offender in lieu of any Imprisonment.

ARTICLE 155.

A person who may have been tried for any offence by a Court Martial under the authority of these Articles of War, shall not be tried for the same in any other Court whatsoever, and no person who shall have been acquitted or convicted of any offence by a Court of Civil Judicature shall be punished by a Court Martial for the same, otherwise than by Cashiering or Dismissal from the service.

ARTICLE 156.

The Regulations at present in force at any Presidency, by which the office and powers of Commissariat Officers, or Officers in charge of the Police, or Superintendents of Bazars, are defined and controuled; or by which Punchayets are constituted and guided; or by which jurisdiction is given to Courts Martial over offences committed by persons amenable to the Articles of War, within certain limits beyond or around Cantonments; are hereby declared to be in full force, and the same shall continue to be observed at the several Presidencies respectively.

SECTION VII.

Application of the Articles.
ARTICLE 157.

All Officers and Soldiers, all Drivers, Farriers, Trumpeters, and Drummers; all unattested Re-

cruits; all Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers; all Artificers and Labourers, Suttlers, Followers, public and private, or others attached to or serving with any part of the Army, are to be governed by these Articles and subject to trial by Courts Martial.

Provided, that persons of European descent, (whether on the side of their father or mother) professing the Christian religion, shall not be amenable to these Articles; but if belonging to the descriptions mentioned in this Article, (and not being Her Majesty's natural born subjects born in Europe, or the children of such subjects,) shall be tried and punished in the same manner as persons are who are subject to the Mutiny Act and Articles of War in force for the better government of the European Officers and Soldiers in the Service of the East India Company.

Promulgation of the Articles.

ARTICLE 158.

These Articles are to be translated into the several languages of the different Presidencies, and the parts following, viz. the second Section, together with the following Articles in other Sections which are marked with an * (Asterisk), viz. 2, 4, 75, 78, 80, 102, 103, 110, and 111, are to be read once every three months at the head of every Regiment, Troop or Company mustered in the service and to every Recruit at the period of his attestation.

G. A. Bushby, Secy. to the Govt. of India.



The Calcutta Gazette.

Published by Authority.

It is requested that Government Notifications for the Calcutta Gazette, of any length may be sent to the Press by NGON of TUBSDAYS and PRIDAYS; and those of a few lines only, before 5 p. m. of those days.

WEDNESDAY, DECEMBER 29, 1847.

No 2791.

Foreign Department, on the River off Coolneah, the 7th December, 1847

Notifications—The Right Hon'ble the Governor General has been pleased to appoint Major W F. Beatson, of the 54th Bengal Native Infantry, to Command the Cavalry Division of His Highness the Nizam's Army, during the absence of Lieut. Col. Blair, who has proceeded to the Cape of Good Hope, on Sick Certificate. The General Order of the 16th October last, No. 2498, is therefore cancelled.

H. M. Elliot,

Secy. to the Govt. of India, with the Govr. Genl.

No. 1146 of 1847.

Fort William, Foreign Department, the 24th December, 1847.

The Right Honorable the Governor General in Council has been pleased to appoint Captain W. H. Reckerds, of the 14th Regiment Native Infantry, to officiate as Political Agent at Jeypore, during the absence of Major J. Ludlow.

No. 1157 of 1847.

Lieutenant Colonel H. M. Lawrence, C. B, Resident at Lahore, has obtained six weeks leave of absence from the 30th November, to visit Calcutta, preparatory to applying for leave to Europe, on Medical Certificate.

No. 1158.

Mr. M. fi. Greathed, Political Agent Joudhpote, has obtained leave of absence, for fwo
months from the let of January next, under Sections XI. and XII. of the Amended Absence
Rules, with permission to proceed to Bombay,
preparatory to embarking for Europe on Furlough.

No. 1159 of 1847,

The Right Hon'ble the Governor General in Council has been pleased to appoint Assistant

Surgeon W. B. McEgan, of the Bengal Establishment, to the Medical charge of the 3d Regiment of Cavalry in His Highness the Nizam's Army, vice Surgeon W. C. Laing, resigned.

No. 1160 of 1847.

Mr. E. A. Cook, Deputy Collector and Assistant Magistrate at Jalundhur, has obtained twelve months leave of absence, on Medical Cortificate, from the 1st instant.

H. M. Ellior, Secy. to the Goot. of India.

No. 22

Fort William, Financial Department, the 15th December, 1847.

Notification.—Notice is hereby given, that the Salaries, Pay, Batta and Allowances of the Civil, Military and Marine Beparaments for December 1847, will be payable as under-

Military and Marine Departments, on Monday, the 10th preximo.

Civil Ditto, on Saturday, the 15th proxima. By order of the Right Hon'ble the Governor General in Council,

J. A. Dorin, Secy. to the Gont. of India.

Fort William, Home Department, Legislative the 18th December, 1847.

The following Act passed by the Governor Ganeral of India in Council on the 18th of December 1847, is hereby promulgated for general information.

Acr No. XX. or 1847.

An Act for the suspensagement of learning in the Territorist multiplet to the Government of the East India Company, by defining and providing for the enforminal of the right called Company, then also Company.

Whoses googs may exist whether the right called Depyright can be enforced by the Common Liew of Ringland in those parts of the Tenritories

subject to the Government of the East India Company into which the Common Law of England has been introduced:

And whereas doubts may exist whether the said right can be enforced by virtue of the principles of equity and good conscience in the other parts of the Territories subject to the Government of the East India Company:

And whereas for the encouragement of learning it is desirable that the existence of the said right should be placed beyond doubt, and that the said right should be made capable of easy enforcement in every part of the said Territories:

And whereas it is doubtful whether the Act of Parliament 5 and 6, Victoria, C. 45, entitled "an Act to amend the Law of Copyright," although such Act extend to every part of the British Dominions, has made appropriate and sufficient provision for the enforcement in every part of the said Territories subject to the Government of the East India Company of the said right by proprietors thereof: and whether the said Act of Parliament has made provision for the enforcement of the said right by or against any persons not being subject to the jurisdiction of the Courts established by Her Majesty's Charter:

I. It is therefore hereby enacted, that the Copyright in every book published in the life-time of its author within the said Territories after the passing of the Act of Parliament 3 and 4, Wm. 4, C. 85, entitled "an Act for effecting an arrangement with the East India Company and for the better government of His Majesty's Indian Territories till the 30th day of April, 1854," shall endure for the natural life of such author, and for the further term of seven years commencing at the time of his death and shall be the property of such author and his assigns: Provided always, that if the said term of seven years shall expire before the end of forty-two years from the publication of such book, the Copyright shall in that case endure for such period of forty-two years; and that the Copyright in every book published after the death of its author and after the passing of the Act of Parliament last aforesaid shall endure for the term of forty-two years from the first publication thereof and shall be the property of the proprietor of the author's manuscript, from which such book shall be first published, and his assigns.

II. And whereas it is expedient to provide against the suppression of books of importance to the public: It is enacted, that it shall be lawful for the Governor General in Council on complaint made to them that the proprietor of the Copyright in any book published after the passing of this Act within the said Territories, has after the death of its author refused to republish or to allow the republication of the same, and that by reason of such refusal such book may be withheld from the public, to grant a licence to such complainant to publish such book in such manner and subject to such conditions as they may think fit, and it shall be lawful for such complainant to publish such book according to such licence.

III. And it is hereby enacted, that a Book of Registry wherein may be registared at hereinafter enacted the proprietorship in the Copyright of books and assignments thereof, and licences effecting such Copyright, shall be kept in the office of the Secretary to the Government of India for the Home Department, and shall at all convenient

times be opened to the inspection of any person on asyment of Eight Annas for every entry which shall be searched for or inspected in the said book, and that such Officer shall whenever thereunto reasonably required, give a copy of any entry in such book certified under his hand, to any person requiring the same on payment to him of the sum of Two Rupees, and such copies so certified shall be received in evidence in all Courts and in all summary proceedings, and shall be prima facie proof of the proprietorship or assignment of Copyright or licence as therein expressed, but subject to be rebutted by other evidence.

IV. And it is enacted, that if any person shall wilfully make or cause to be made any false entry in the Registry Book aforesaid, or shall wilfully produce, or cause to be tendered in evidence any paper falsely purporting to be a copy of any entry in the said Book, he shall be guilty of a misdemeanour and shall be punished with imprisonment with or without hard labour for a term not exceeding three years.

V. And it is enacted, that after the passing of this Act, it shall be lawful for the proprietor of Copyright in any book published, after the passing of the said Act of Parliament 3 and 4, Wm. 4, C. 85, to make entry in the Registry Book of the title of such book, the time of the first publication, and the name and place of abode of the publisher thereof, and the name and place of abode of the proprietor of the Copyright of the said book, or of any portion of such Copyright in the form in that behalf given in the Schedule to this Act annexed upon payment of the sum of Two Rupees to the said Secretary, and that it shall be lawful for every such registered proprietor to assign his interest or any portion of his interest therein, by making entry in the said Book of Registry of such assignment, and of the name and place of abode of the Assignee thereof in the form given in that behalf in the said Schedule on payment of the like sum; and such assignment so entered shall be effectual in Law to all intents and purposes whatsoever without being subject to any stamp or duty, and shall be of the same force and effect as if such assignment had been made by Deed.

VI. And it is enacted, that if any person shall deem himself aggrieved by any entry made under colour of this Act in the said Book of Registry. it shall be lawful for such person to apply by motion to the Supreme Court of Calcutta, or if the Court shall not be then sitting to any Judge of such Court sitting in Chambers for an order that such entry may be expunged or varied, and that upon any such application to the said Court, or to a Judge as aforesaid, such Court or Judge shall make such order for expunging, varying or confirming such entry either with or without costs, as to such Court or Judge shall seem just, and the said Secretary shall on the production to him of any such order for expunging or varying any such entry, expunge or vary the same according to the requisitions of such order.

VII. And it is enacted, that if any person shall after the passing of this Act print or cause to be printed either for sale or exportation, any book in which there shall be subsisting Copyright without the consent in writing of the proprietor thereof, or shall have in his possession for sale or hire any such book so unlawfully printed without such consent as aforesaid, such offender if he shall have so offended wit hin the local limits of the limitation of any of the Courte of Judicature established by Her Majosty a Charge, shall be limits as

special action on the case in such Court, and if he shall have so offended in any other part of the Territories subject to the Government of the East India Company to a suit in the Zillah Court within the jurisdiction of which he shall have so offended, which shall and may be prosecuted in the same manner in which any other action of damages may be brought and prosecuted there, and if he shall have so offended in any such lastmentioned part of the Territories subject to the Government of the East India Company in which there is no Zillah Court, to a suit in the highest local Court exercising original Civil jurisdiction in such part of the said Territories.

And it is hereby enacted, that after the passing of this Act in any suit or action brought in any of the Courts of Judicature established by Her Majesty's Charter under the provisions of this Act against any person for printing any such book for sale, hire or exportation, or for selling, publishing or exposing to sale or hire, or causing to be sold, published or exposed to sale or hire, or for having in his possession for sale or hire any such book so unlawfully printed, the defendant on pleading thereto shall give to the plaintiff a notice in writing of any objections on which he means to rely on the trial of such action, and if the nature of his defence be that the plaintiff in such action was not the author or first publisher of the book in which he shall by such action claim Copyright, or is not the proprietor of the Copyright therein, or that some other person than the plaintiff was the author or first publisher of such book, or is the proprietor of the Copyright therein, then the defendant shall specify in such notice the name of the person who he alleges to have been the author or first publisher of such book, or the proprietor of the Copyright therein, together with the title of such book, and the time when and the place where such book was first published, otherwise the defendant in such action shall not at the trial or hearing of such action be allowed to give any evidence that the plaintiff in such action was not the author or first publisher of the book in which he claims such Copyright as aforesaid, or that he was not the proprietor of the Copyright therein, and at such trial or hearing no other objection shall be allowed to be made on behalf of such defendant than the objections stated in such notice, or that any other person was the author or first publisher of such book, or the pro-prietor of the Copyright therein than the person specified in such notice, or give in evidence in support of his defence any other book than one pubstantially corresponding in title, time and place of publication with the title, time and place specified in such notice.

IX. And it is hereby enacted, that after the passing of this Act in any such suit or action as last aforesaid brought in any Zillab Court or other local Court as aforesaid the defendant shall state in his answer all such matters as he means to sally an and which by the last preceding Section the defendant in any suit or action brought in any of the Courts of Judicature established by Her Majesty's Charter is required to give notice of in writing, otherwise such defendant shall be subject to the same consequences for any omission in his answer as a defendant is made subject to by the last preceding Section for any omission in his anotice.

"X." And it is hereby enacted, that when any publisher or other person shall within the said Ter-

ritories before or at the time of the passing of this Act, but after the passing of the said Act of Parliament 3 and 4, Wm. 4, C. 85, have projected, conducted and carried on, or shall hereafter project, conduct or carry on, or be the proprietor of any Encyclopædia, Review, Magazine, Periodical work or work published in a series of Books or Parts, or any book whatsoever, and shall have employed or shall employ any persons to compose the same, or any Volumes, Parts, Essays, Articles or Portions, thereof for publication in, or as part of the same, and such Work, Volumes, Parts, Essays, Articles or Portions shall have been, or shall hereafter be composed under such employment on the terms that the Copyright therein shall belong to such Proprietor, Projector, Publisher or Conductor, and paid for by such Proprietor, Projector, Publisher or Conductor, the Copyright in every such Encyclopædia, Review, Magazine, Periodical work and work published in a series of Books or Parts, and in every Volume, Part, Essay, Article and Portion so composed and paid for shall be the property of such Proprietor, Projector, Publisher or Conductor, who shall enjoy the same rights as if he were the actual author thereof and shall have such term of Copyright therein as is given to the authors of Books by this Act, except only that in the case of Essays, Articles or Portions forming part of and first published in Reviews, Magazines or other Periodical works of a like nature after the term of twenty-eight years from the first publication thereof respectively the right of publishing the same in a separate form shall revert to the author for the remainder of the term given by this Act. Provided always, that during the term of twenty-eight years the said Proprietor, Projector, Publisher or Conductor shall not publish any such Essay, Article or Portion separately or singly without the consent previously obtained of the author thereof or his assigns: Provided also, that nothing herein contained shall alter or affect the right of any person who shall have been or shall be so employed as aforesaid to publish any such his composition in a separate form who by any contract, express or implied, may have reserved or may hereafter reserve to himself such right, but every author reserving, retaining or having such right shall be entitled to the Copyright in such composition when published in a separate form according to this Act without prejudice to the right of such Proprietor, Projector, Publisher or Conductor as aforesaid.

XI. And it is hereby enacted, that the Proprietor of the Copyright in any Encyclopædia, Review, Magazine, Periodical work or other work published in a series of Books or Parts shall be entitled to all the benefits of the Registration in the Office of the Secretary to the Government of India for the Home Department, under this Act, on entering in the said Book of Registry the title of such Encyclopædia, Review, Periodical work or other work published in a series of Books or Parts, the time of the first publication of the first Volume, Number or Part thereof, or of the first Volume, Number or Part first published after the passing of this Act in any such work which shall have been published heretofore, and after the passing of the said Act of Parliament 3 and 4, William 4, C. 85, and the name and place of abode of the Proprietor thereof and of the Publisher thereof when such Publisher shall not also be the Proprietor thereof.

XII. And it is enacted, that all copies of any Book wherein there shall be Copyright, and of

which entry shall have been made in the said Registry Book and which shall have been unlawfully printed without the consent of the Registered Proprietor of such Copyright in writing under his hand first obtained shall be deemed to be the property of the Proprietor of such Copyright and who shall be registered as such, and such Registered Proprietor shall, after demand thereof in writing, be entitled to sue for and recover the same or damages for the detention thereof.

XIII. And it is enacted, that if the case be within the jurisdiction of any of the Courts of Judicature established by Her Majesty's Charter, such Registered Proprietor shall be entitled to sue for and recover such copies or damages for the detention thereof in an action of Detinue, from any party who shall detain the same, or to sue for and recover damages for the conversion thereof in an action of Trover, and that if the case be within the jurisdiction of any Zillah Court or other local Court as aforesaid, the Registered Proprietor shall be entitled to sue for and recover such copies or damages for the detention or conversion thereof, in such form as is in use in the said Zillah or other local Courts for the recovery of specific personal property or damages for the detention or conversion thereof.

XIV. And it is enacted, that no Proprietor of Copyright in any book first published after the passing of the said Act of Parhament 3 and 4, Wm. 4, C. 85, shall maintain under the provisions of this Act any action or suit at law or in equity, or any summary proceeding in respect of any infringement of such Copyright unless he shall before commencing such action, suit or proceeding have caused an entry to be made in the Book of Registry at the Office of the said Secretary of such book pursuant to this Act. Provided always, that the omission to make such entry shall not affect the Copyright in any book, nor the right to sue or proceed in respect of the infringement thereof except the right to sue or proceed in respect of the infringement thereof under the provisions of this Act.

XV. And it is enacted, that if any action or suit shall be commenced or brought in any of the Courts of Judicature established by Her Majesty's Charter against any person or persons whom; soever for doing or causing to be done any thing in pursuance of this Act the defendant or defendants in such action may plead the general issue and give the special matter in evidence; and if upon such action a verdict shall be given for the defendant or the plaintiff shall become nonsuited or discontinue his action, then the defendant shall have and recover his full costs for which he shall have the same remedy as a defendant in any case by Law hath in the said last-mentioned Courts.

XVI. And it is enacted, that all actions, suits, bills, indictments, informations and other criminal proceedings for any offence which shall be committed against this Act shall be brought, sued and commenced within twelve calendar months next after such offence committed, or else the same shall be void and of none effect.

XVII. Provided always and it is enacted, that nothing in this Act contained shall affect, after or vary any right subsisting at the time of passing this Act except as herein expressly enacted; and all contracts, agreements and obligations made and entered into before the passing of this Act and all remedies relating thereto, shall remain in fall forces any thing herein contained to the contrary not-withstanding.

SCHEDULE.

No. 1.

Original Entry of Proprietorship of Copyright of a Book.

Time of making the Entry.	Title of Book.	Name of the Publisher and Place of Pub- lication.	Nume and Place of abode of the Pro- prictor of the Copyright,	Date of First Publication.
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No. 2.

Form of Entry of Assignment of Copyright in any Book previously registered.

Date of Entry.	Title of Book.	Assigner of the Copyright.	Assignee of the Copyright.
	(Set out the Title of the Book and refer to the page of the Registry Book in which the original Entry of the Copyright thereof is made)		

G. A. Bushby, Secy. to the Govt. of India.

Fort William, Home Department, Legislative, the 18th December, 1847.

The following Act passed by the Governor General of India in Council on the 18th of December 1847, is hereby promulgated for general information.

ACT No. XXI. of 1847.

An Act for the improvement of the Administration of Justice and desputch of Business in the Supreme Court of Judicalure at Bombay.

I. It is hereby enacted, that from and after the passing of this Act, it shall be lawful for any one of the Judges of the Supreme Court of Judicature at Bombay when occasion shall so require to sit apart from the other Judges or Judge, as the case may be, of the same Court for the despatch of the Criminal Business of the said Court, at the same time when the other Judges or Judge, as the case may be, of the said Court shall be sitting for the despatch of Business in the said Supreme Court, and that all Proceedings whatever so had by and before such Judge, so sitting apart for the purpose aforesaid, shall be good, valid and effectual in the Law to all intents and purposes as fully as if the said Proceedings were had before all the Judges of the said Court sitting as a Court of Oyer and Terminer and Gaol Delivery under the Charter of the said Court.

II. And it is he reby forther enacted, that all business of what nature or kindsoever which the said Supreme Ceust of Judicature at Bombay may or shall have power to transact in Term, it shall in like manner have no near to transact out of

Term, and that all Proceedings whatever before the said Court out of Term, shall be as good, valid and effectual in the Law to all intents and purposes as fully as if the said Proceedings were had in Term; and that all Rules and Orders of the said Court as to all Judgments, Executions or other Proceedings in Term, shall be applicable and shall be applied to all Judgments, Executions or other Proceedings given, issued or had out of Term, as near as the same can be made applicable thereto, and the said Court shall issue such new Rules and Orders as may be necessary for the purpose of giving full effect to the provisions in this Act contained.

G. A. Bushby, Secy. to the Govt. of India.

Fort William, Home Department, Legislative, the 18th December, 1847.

The following Draft of a proposed Act was read in Council for the first time on the 18th of December, 1847:

ACT No. -- OF 1847.

- An Act for preventing the dangers arising from Gunpowder and Fireworks within the limits of the Presidency Towns of Calcutta, Madras and Bombay.
- I. It is hereby enacted, that the Rule, Ordinance and Regulation passed by the Governor General in Council on the 8th April, 1802, and Section II. Act XVIII. of 1841, be repealed.
- II. And it is hereby enacted, that if any person (unless licenced as hereinafter provided) shall within the limits of the Presidency Town of Calcutta, Madras or Bombay, manufacture Gunpowder, or have in his possession in any house, shop, warehouse or other building, at any one time, a greater quantity of Gunpowder for sale or otherwise than ten pounds, he shall, on conviction, before a Magistrate of Police, be liable to a forfeiture of all such Gunpowder so manufactured or possessed, together with the vessel or receptacle in which it may be seized, and also to a fine not exceeding in amount the sum of Rupees Five Hundred.
- III. And it is hereby enacted, that it shall be lawful for the Chief or Senior Magistrate of Police to grant to any person (whom he shall deem fit and proper) a licence for the manufacture of Gunpowder, or for the sale or keeping in deposit within the limits of the Presidency Town of Calcutta, Madras or Bombay, any quantity of imported or Indian manufactured Gunpowder not exceeding fifty pounds on such conditions and subject to such regulations as shall be specified in the licence and shall be approved of by the local Government: and any person who shall be guilty of a breach of any of such conditions and regulations shall, on conviction, before a Magistrate of Police, be liable to a forfeiture of his licence and of all Gunpowder so manufactured, together with all implements used in such manufacture, or so sold or kept in deposit contrary thereto, and also to a fine not exceeding Rupees Twe Hundred.
- IV. And it is hereby enacted, that no person or persons whatever being a dealer or dealers, or manufacturer or manufacturers of Gunpowder, shall keep at any one time at his or their house, shop, place of manufacture, warehouse or other building, more of the mixed materials required for making dunpowder than may be sufficient for the manufacture of fifty pounds weight of Gunpowder, and any person or persons who shall be guilty of a breach of this rule shall, on conviction, before a Magistrate of Police, be liable to a forfaiture of his

- or their licence and of all such mixed materials, together with the vessels or receptacles in which they may be seized, and also to a fine not exceeding Rupees Two Hundred.
- V. And it is hereby enacted, that every such licence as is mentioned in Section III. shall be in force for a period of one year only and no longer, but shall be renewable by the said Chief or Senior Magistrate at his discretion on the same or any other terms and conditions, to be subject in like manner to the approval of the local Government, and such licence shall also provide for the transit and carrying of Gunpowder from one place to another within the limits of the said Presidency Town of Calcutta, Madras or Bombay, in such manner and in such quantity as shall be deemed advisable for the safety of the inhabitants and of property within the said Presidency Towns, and every person offending against such provisions shall be liable to a fine not exceeding Rupees Fifty, and every person obtaining such licence as aforesaid, shall pay a fee of Rupees Two for the same to the said Chief or Senior Magistrate to be applied as the fines under this Act.
- And it is hereby enacted, that any Magistrate of Police on credible information laid before him on oath or solemn affirmation that Gunpowder or mixed materials for making the same contrary to the provisions of this Act, are suspected to be stored, kept or possessed by any person or persons, may issue his warrant for searching in the day-time any house, shop, magazine or other building or place in which he has reasonable ground to suspect any Gunpowder to be manufactured, sold or kept, or any boat, carriage, cart or other vehicle in which any Gunpowder or materials for manufac turing the same may be suspected to be carried, or any person or persons suspected of carrying the same contrary to such licence or to the provisions of this Act, and all Gunpowder, or materials for manufacturing the same found on such search shall, together with the vessels or receptacles in which they may be stored be immediately seized by such searcher or searchers and brought before a Magistrate of Police with whom the same shall be kept till it shall be adjudged whether the same shall be forfeited.
- VII. Provided, that the preceding Sections of this Act shall not extend to any Government magazine, or store or building for the making or deposit of Gunpowder under the authority or for the use of the Government, or to any Gunpowder for the use of Her Majesty's or the East India Company's Troops, or otherwise for the service of Government, or to any of Her Majesty's Vessels of War, or the Vessels of the Indian Navy or of the East India Company's Marine, or to any other Vessel within the River Hooghly, or the Port Road or Harbour of Madras or Bombay laden with Gunpowder for importation or exportation
- VIII. Provided also and it is hereby enacted. that Commanders of Merchant Vessels entering the River Hooghly shall on or before the arrival of their Vessels off Moyapore deposit in the Magazine at that place all Gunpowder intended for the Ship's use, from on board their respective Vessels, exceeding the quantity of one hundred pounds, which quantity they shall be permitted to retain in their Vessels for the purpose of firing Salutes or Signals in case of distress, and the Gunpowder so deposited shall be again delivered on board on the return of the respective Vessels from Calcutta in prosecution of the cutward voyage: and it is hereby enacted, that Commanders of Merchant Vessels in the River Hooghly having on board their Vessels

Gunpowder for importation (not being Ganpowder belonging to the Government) exceeding the quantity of fifty pounds, shall deposit the same on or before the arrival of their Vessels off Fort William or the Town of Calcutta in the Magazine at Howrah, under charge of an Officer belonging to the Customs at that place, or such other person as the Governor of Bengal may appoint; and the Proprietors or Consignees of such Gunpowder or their Agents, whenever they shall desire to remove the same from the Mazagine, shall make application to the Collector of Sea Customs for authority to do so, which application when it be intended that such Gunpowder shall be lodged in any place or be laden in any boat or other conveyance within the limits of the Town, shall be accompanied by a written order of permission, signed by a Magistrate of Police to that effect, and when it be intended, that such Gunpowder shall be exported by Sea, the Commanders of Vessels, or the Proprietors or their Agents, by whom it shall have been deposited in the Magazine shall make application to the Collector of Sea Customs for permission so to export it; and the Collector of Sea Customs shall comply with such applications aforesaid, except where the exportation of ammunition shall require, under provisions of Act XVIII. of 1841, a licence from a Public Officer other than the Collector of Sea Customs, in which case the Collector of Sea Customs shall not comply with the application unless it be accompanied by the licence of such Public Officer, and on or before the removal of all Gunpowder from the Magazine, the Collector of Sea Customs shall and he is hereby authorized to levy a fee, the rate of which shall not be exceeding two annas per pound, for all Gunpowder that has been lodged therein, which fee, (not to exceed the rate of two annas per pound as aforesaid, and to be regulated by such Orders as the Governor of Bengal may from time to time issue for the purpose) shall be taken to cover all charges for the safe custody of the Gunpowder during the period it has remained or shall remain in the Magazine. Provided also and it is hereby enacted, that the Governor of Bengal shall be at liberty to authorize such arrangement to be made by letting or otherwise contracting for the custody of the Magazine, and for the collection and appropriation of the fee which may be charged for Gunpowder stored therein as he may think proper, subject, however, to all the restrictions and rules imposed by this Section of this Act in respect to the removal from the Magazine of Gunpowder therein stored.

IX. And it is hereby enacted, that for every act done or omitted to be done contrary to the provisions in the last preceding Section of this Act by the Commander of any Merchant Vessel in the Port of Calcutta the Commander aforesaid shall forfeit the sum of Two Hundred Rupees, and the Collector of Sea Customs is hereby empowered to enforce the said penalty: Provided also and it is hereby enacted, that the Collector shall not grant a Port Clearance for any Vessel in which such penalty shall have been incurred until it have been paid. And the Collector of Sea Customs is hereby empowered to search for any quantity of Gunpowder which he may have reason to believe to be on board a Merchant Vessel in the Port of Calcutta contrary to the provisions of this Act, and to selze it and detain it in the Magazine at Howrah as a ferfeiture to the Government to be dealt with as the Governor of Bengal shall think right to direct.

X. And it is hereby enacted, that if any person, except on public feetivels or opensions as hereinafter mentioned shall in any highway, atreet or

thoroughfare, or within twenty-five feet thereof, set fire to or wantonly let off or throw any squib or other firework, or send up any fire balloon, or make or assist in making any bonfire within the said Presidency Town of Calcutta, Madras or Bombay, every person so offending shall forfeit and pay a sum not exceeding Rupees Fifty, and if any person shall in any house, shop, or other building adjoining to any public road or thoroughfare set fire to or let off any squib or other firework within the said Towns, he shall forfeit and pay a fine not exceeding Rupees Fifty, and if suffir person be not the owner or occupier of any such house, shop or other building, and have the permission, express or implied of the owner or occupier thereof to set fire to or let off such squib or other firework, then such owner or occupier shall also forfeit and pay a fine not exceeding Rupees Fifty.

XI. And it is hereby enacted, that notwithstanding the provisions in the last Section, it shall be lawful for the Chief or Senior Magistrate of Police on any public festivals or days of private or family rejoicings among the Natives to permit the discharge of fireworks, and the making of bonfires in such places, and at such times and under such restrictions and limitations as to the said Chief or Senior Magistrate may seem fit for the protection of property and the persons of the in-habitants of the said Presidency Town of Calcutts, Madras or Bombay against injury, and for such purpose to issue a Proclamation notifying the conditions on which such permission is granted, and every person convicted before a Magistrate of Police of offending against such Proclamation shall forfeit and pay a sum not exceeding Rupees One Hundred, besides being liable in damages to any party injured thereby either in his person or property.

XII. And it is hereby enacted, that all fines, forfeitures and penalties incurred under this Act may be recovered in the form and mode prescribed by Act No. II. of 1889, and shall be paid into the General Treasury for the benefit of the municipal Funds.

XIII. And it is hereby enacted and declared, that the words Presidency Town of Calcutta, Madras or Bombay, as used in this Act, shall for the purposes of it be held and deemed to include all places within the local limits of the jurisdiction of Her Majesty's Suprame Court of Judicature at the said Presidency Towns.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 18th day of March next.

G. A. Bushby, Secy. to the Gout. of India

Orders by the Hon'ble the Daputy Government of Bengal,

Lenve of Absence.—The 27th December, 1847—Mr. F. J. Halliday, Secretary to the Government of Bengal, for one week, on private affairs. During Mr. Halliday's absence, Mr. C. Beadon will officiate as Secretary to the Government of Bengal, and Mr. J. H. Crawkell of Streetary to the Beard of Emerons. Salt and Collins, in addition to the present duties on Controller of Salt Checking.

Mr. G. C. Cheap, Civil and Sessions Judge of Rajeshye, for one month, on private affairs, making over charge of the current duties of his office to the Principal Sadder Ameen of that District.

Mr. E. H: Ansen, Assistant to the Magistrate and to the Collector of Patna, for one mouth, on private affairs.

Mr. A. Kean, Civil Assistant Surgeon of Moor-shedabad, for seven days, on private affairs.

The 28th December, 1847.—Mr. A. Dick, a Judge of the Sudder Court, for one month, on private affairs.

The remaining portion of the leave of absence granted on the 15th instant to Mr. G. C. Chapman, Deputy Magistrate of Midnapore, is cancelled from the 22d idem, the date on which he resumed charge of his office.

Natifications.—The 29th December, 1847.—Mr. V. H. Schalch, Officiating Magistrate of Beerbhoom, assumed charge of his office on the 20th instant.

Mr. G C. Cheap, Civil and Sessions Judge of Rajeshye, resumed charge of his office on the 23d instant.

Mr. E. Jackson, Officiating Magietrate of Sarun, made over charge of his office to Mr J. Combe on the 19th instant.

The Revd. James Charles, Senior Minister of St. Andrew's Church, reported his embarkation for England on the Ship "Barham," which was left by the Pilot at Sea on the 25th instant.

By order of the Hon'ble the Deputy Governor of Bengal,

CECIL HEADON,

Offg. Secy. to the Govt. of Bengal.

No. 4775 of 1847.

Orders by the Hon'ble the Lieut.-Governor of the North Western Provinces.

Head-Quarters, Judicial and Revenue Department, the 11th December, 1847.

Appointment.—Mr. William John Revett Carnac to officiate as Joint Magistrate and Deputy Collector of Boolundshuhur, until further orders.

No. 4807 of 1847.

Head-Quarters, the 23d December, 1847.

Leaves of Absence.—Mr. G. B. Phelips appointed in Orders of the 15th instant, to be an Assistant in the Benares Division, for two months, on private affairs, in addition to the time allowed him to join his appointment.

No. 4813 of 1847.

Mr. John Muir, Magistrate and Collector of Azımgurh, for four months, on Medical Certificate, from the date on which he may quit his station

Appointment.—Mr. Robert Alexander to officiate as Magistrate and Collector of Azımgurh, during the absence of Mr. Muir, or until further orders.

No. 4794 of 1847.

Houd-Quarters, Judicial Department, the 21st December, 1847.

Mrs.Hr. Brereton, Assistant to the Magistrate of Myspeery, is invested with aperial personal

under Section II. Regulation III. of 1821, in the above district, as well as in the other districts of the Agra Division, through which the Grand Trunk Road passes.

No. 4816 of 1847.

Head-Quarters, the 23d December, 1847.

Leave of Absence.—Mr. George Frederick Harvey, Officiating Civil and Sessions Judge of Saharunpore, for three months, on Medical Certificate, under Section VI of the Amended Absentee Rules, to proceed to Calcutta, preparatory to proceeding to Europe on Furlough, from the date on which he may quit his station.

Appointment.—Mr. George Fleming Franco to officiate as Civil and Sessions Judge of Saharunpore, until further orders.

No. 1052 of 1847.

Head-Quarters, Ecclesiastical Department, N. W. P. the 20th December, 1847.

Notification — As the Revd R. P. Brooke has not availed himself of the leave of absence for two months, granted him in Orders of the 6th February 1846, the leave in question is cancelled at his request.

By order of the Hon'ble the Lieutenant Governor of the North Western Provinces,

J. THORNTON, Secy. to Govt. N. W. P.

General Orders by the Right Hon'ble the Governor General of India in Council.

Fort William, 24th December, 1847.—No. 403 of 1847.—The Right Hon'ble the Governor General in Council has been pleased to make the following Appointments:

Captain J. R. Western, of Engineers, to officiate as Executive Engineer of the 1st or Dum-Dum Division of Public Works.

Lieutenant A. G. Goodwyn, of Engineers, to be Executive Engineer in the Gauges Canal, vice Lieutenant A. D. Turnbull.

Lieutenant A. Taylor, of Engineers, to officiate as Executive Engineer of the Western Sirhind Division of Public Works, in addition to the charge he now holds.

Lieutenant J. D. Campbell, of Engineers, to officiate in charge of the Agra and Bombay Road during the absence of Captain J. A. Weller, on Medical Certificate.

No. 404 of 1847.—Captain Joseph Alexander Weller, of Engineers, Executive Engineer of the Agra and Bombay Road, has leave of absence from the 10th instant to the 1st of December 1848, to visit Nynee Tal and the Province of Kemaoon, on Medical Certificate.

W. M. N. STUBT, Major,

Dy. Secy. to the Govt. of India,

Mily. Dept.

NOTICE.—Mean Time was this day shewn to the Shipping in the River from the Semaphore Tower in the Fort, Half a Second (4s.) after Mean Noon.

George Warren, Lt. Col., Town Major. Fort William, 28d December, 1847.

GENERAL POST OFFICE NOTIFICATION.

No. 730.

Export Overland Mail per P. and O. Co.'s Stramer "Haddington," direct from Calcutta.

NOTICE is hereby given, for general information, that the Mails for Suez, and the intermediate Ports, (Madras, Ceylon, Aden, Penang, Singapore and Hong Kong,) intended for transmission by the Peninsular and Oriental Company's Steam Vessel "Haddington," will be closed at this Office on Friday, the 7th proximo, and that an After Packet will be despatched hence on Saturday, the 8th idem, with the ordinary Mail. To ensure its arrival at Kedgeree, in time to reach the Steamer, the public are particularly requested to observe that no Letters for the "Haddington" can be received after 4 P. M. of that date.

Fort William, Genl. Post Office, \ The 13th December, 1847.

NOTICE is hereby given, that in regard to Packets and Parcels posted for despatch to and from Arracan and the Tenasserim Provinces by Government Steamers;—the provisions of Clause 30, of Act XVII. of 1837—(a Copy of which is subjoined for the information of the Public,) will, from and after this date, be most strictly enforced, whenever there may be reason to suspect that any Packet or Parcel contains any contraband Article; or any Article on which Government Duty is owing.

J. R. BURLTON BENNETT,

Dy. Post Master General, in charge.

Calcutta General Post Office, the 18th November 1847.

ACT No. XVII. of 1837.

Clause XXX. And it is hereby enacted, that if any Post Master General, or Post Master, shall suspect that any Letter or Packet lying for delivery at his Post Office contains any contraband Article, or any Article on which duty is owing to Government, or that any Letter or Packet lying for delivery at that Post Office contains any writing in contravention of the provisions of Sections IX. and X. of this Act, it shall be lawful for such Officer to summon the person to whom the Letter or Packet is directed, to attend at that Post Office by himself and Agent within Forty Eight hours after the arrival of the Letter or Packet at that Post Office, and to open the Letter or Packet in the presence of the person to whom the Letter or Packet'is directed, or of that person's Agent; and if that person shall not so attend by himself or Agent, then to open the Letter or Pucket in the absence of that person.

(True Copy,)

J. R. Burlton Bennett, Deputy Post Master General, in charge.

NOTICE.—With reference to the London Post Master General's Notification regarding the rates of postage to be charged upon Letters received from Bombay by the Government Express, which was published with a notice from this Office of yesterday's date, the following Letter since received from the Post Master General of Bumbay on the subject, is also published for general information.

W, TAYLER, Post Moster General. For William, Good. Past Office. The 24th July, 1847.

No. 966 of 1847.

General Department.

To W. TAYLER, Esquire,

Post Moster General, Calcutta.

Sin,-Adverting to my Letter, dated the 2d instant, I have the honor to suggest for your consideration, whether it would not be advisable to publish a Notice in the Calcutta Papers, intimating to the public generally, especially the Mercantile Community, that, if they desire their Over-land Letters, to be forwarded on by the Government Overland Express, they should request their Correspondents to mark "per Express," and to keep within the limited weight of two toles; and that, meanwhile, until the system becomes generally known, they ought to advise me, whether they wish any of their Letters, not so marked, to besent on from Bombay by the Express.

2d -By the last Express I dispatched as usual a number of Overland Letters, not especially marked, because, had I not done so, great disappointment would have been experienced by parties in Calcutta; but I intend to discontinue the practice, after a sufficient time has elapsed to admit of the public becoming aware of the privilege conceded by the Notification of May issued by the London General Post Office, and to dispatch by the Overland Express those Letters only which are so marked.

3d .- The public ought moreover to be most especially warned not to mark "per Express" on letters exceeding two tolus in weight, because such letters cannot be so dispatched. I hey will invariably be detained (as was the case on the arrival of the last Mail.) for transmission by the post regular dawk, dispatched after the Express.

4th.—I shall feel much obliged by your favoring me with a list of " Newspaper Offices" in Calcutta, and by your informing the parties connected therewith that not more than two papers (whether sent out from England marked "per Express." or posted in Bombay to go by Express) will, in future, be forwarded by the Government Express. Some of the Newspaper Offices have as many as six Overland Papers marked "per Express," but, as they cannot be so forwarded, it is useless to have them so marked.

5th.—The new rule limits the weight of a Newspaper to 3 tolus, but, if that were acted up to. the Newspaper Offices would be deprived altogether of the privilege conceded by the Notification of May last, as an Overland Paper invariably weighs more than 3 and generally very nearly 6 tolas. I have therefore determined to send two Overland Papers to each Office, without reference to that limit, and shall continue the practice mitil I receive orders to the contrary from Government or the Home Authorities.

I have, &c.,

A. W. RAVENSCHOPT, (Sd.) Post Master Gas

Bombov, Genl. Post Office, 12th July, 1847.

(True Copy,)
W. Tavlen, Post Master General

NOTICE.—The following Notice of the Post Mass-ter General of London, received through the Post Master General of Bombay, is published for general information.

Calcutta, Genl. Post Office, 1.

GENERAL POST OFFICE, MAY 1847.

The Post Master General having been informed by the Court of Directors of the East India Company, that on and after the 1st June next, persons in this Country may forward private correspondence by the Government Express from Bombay to Calcutta and Madras, all persons desirous of availing themselves of this privilege, will be required to mark upon the covers of their letters the words -By Express from Bombay," and in addition to this special address, it will be necessary, that all letters intended to be forwarded by the way of Southampton, should be so endorsed as hitherto: the postage to be charged in India in the delivery of letters sent by this Express will be in addition to the ordinary Inland rates.

One Rupee for every letter not exceeding half a tola in weight.

Two Rupees for every letter above half a tola, but not exceeding one tols in weight.

Four Rupees for every letter above one tola, but not exceeding two tolas in weight, two tolas being the maximum weight of letters to be conveyed by Express.

On Newspapers, each Newspaper Office in Calcutta and Madras, will be allowed to receive two Newspapers at the ordinary rates of Inland postage, on all other Newspapers forwarded by Express a postage of five Rupees each will be charged, and no Newspaper will be received for the Express exceeding three tolas in weight.

N. B. One tola and a quarter is nearly equivalent to half an ounce avoirdupoise.

(True Copy,)

W. Escombe, Secy. to Gout. (Signed) (True Copy,)

(Signed) A. W. RAVENSCROFT.

Post Master General.

(True Copy,)

W. TAYLER, Post Master General.

Pre-Payment of Indian (Inland and Ship) Postage on Covers forwarded to Hong Kong.

NOTICE is hereby given, that in conformity to the instructions of Her Majesty's Post Master General, no Letter or Newspaper will, in future, be received at this Office for transmission to Hong Kong, unless the entire amount of Indian (Inland and Ship) Postage due for the conveyance of the same to its ulterior destination, shall be previously paid by the Sender at the time of posting at the Despatching Office.

It is to be distinctly understood that this rule does not apply to the description of covers forwarded by the Peninsular and Oriental Company's Contract Steamers, as on them, the prescribed British Packet rate of Postage is charged.

Coloutta, Genl. Post Office, the 4th Sept. 1846.

NOTICE is hereby given, that pursuant to the in-structions of Her Majesty's Post Muster General, all Letters possed or received at this Office, for transmission to Europe by the Overland Mails, (whether direct or via Bombay,) if not otherwise specially supercoribed, will be sent by way of Mar-

W. Taylen, Post Minster Genl.

Calcutta, Genl. Post Office, the 7th Sept. 1848.

LIST of Unclaimed Letters remaining in the General Post Office, which accumulated between the months of July to September 1847.

Templer, Esq J W-Care of D G N Check, Bancoorah.

Townsend, Mrs-Benares Steamer, Culus,

Terry, Mr J .- Dacca.

Trouson, Ecq C (2 letters)—Azinghur.
Trower Mr Wm—Meoradabad.
Thompson, H P—Jungypore, via Khamrah.

Turnbull, Mr C G-Care of Capt J Johnson, Bombay. Tapp. Col H J-64th N I, Barrackpore.

Troup, Mrs-Care of Major Troup, 15th N I, Cawapore.

Thorpe, Esq R C (2 letter-)-Bongong, Troup, Capta R-1st Regt Inty Frontier Brigade,

Thomson, Major G-40th N I, Khyook Phyook.

Taylor, Esq C B (2 letters)—Howrah.
Thompson, Esq F—(C S) Chittagong.
Thomson, Esq G—Care of Mrs Hewell, Dinapore.
Twinden, Esq J B—Cutwa,
Taylor, Esq J B—Burdwan Post Office.

Thompson, Condr Jas—On Sick Leave, Monghyr.
Thompson, E-q H S—Jungypore.
Thompson, PH—Care of R Fedelis, Purneah,

Tulloch and Co. Messrs-Calcutta.

Toman, E-q J J (2 letters) - Care of W N Hedger, Esq Calcutta.

Tapper, Mrs - At Mr Hopwood's, Dhurumtolah,

Calcutta.

Thorp, Esq R C-Jessore, Trotter, Esq J T-Kishnaghur.

Thompson, and Co Messrs-Overland Agents, Cal-

Cutta.

Thomas, Esq C A-Calcutta.

Taylor, Esq R-Zig Zag Lane, Calcutta. Tiddington, Capt-Marine Board, Calcutta.

Tanner, Esq W F (2 letters)—Ghazespore, Trowers, Mr R.—Calcutta.

Tara Chaud Sen,—(G M S,) Benarce.
Tresham, Mrs H—Care of J D'Cruz, Pensioner,
Hobrah, via Barrackpore. Tucker, Mr John—On board the "Ann."
Triggs, Capt J P—Ship "City of Palaces,"
Transa For F. Ship it Sett."

Tarnec, Esq E-Ship "Swift."
Trusfe, Monsr-A borde de la "Nancy."

Tessain, Moner—A borde de la "Ranoy."
Tanner, Capt H—Ship "Sophia."
Triscott, Capt—Ship "Windser."
Toper, Mr E—Ship "Zenabis."
Taylor, Esq Robt—Zig Zag Lane, Calcutte.

U. and V.

Unsworth, Esq T-Berhampore.

Ullathorne, Mr F (2 letters)—Ship "Carnatic" Vardon, Mr F F F—Care of Mr Williams, Violeria

Tavern, Calcuita.

Voss, Mr (2 letters)—Piano Toner, Howrah.

Vaules, Esq H (2 letters)—Katlamaree by Katchi-katta, Kishnaghur.
Vowles, Esq F J—Kishnaghur.
Verapah, Chetty (2 letters)—Post Office, till called

for, Calcutta.

Vangricken, Mr Saml-Care of J P Rosewell, either at the Controller's, or the Marine Supdi's Office, Calcutta.

Vapilion, Mr C-Monghyr.

Vincent, Geni-Commander of the 25th N I, Bar-

raskpore

Vickrery, Thes-Possioner, residing in Secrole, Benares.

Vaughan, Esq. Kahni Goza. Verniew, Mr C. To wait his arrival at Monghyr.

Van Voorst, Mrs-Calcutta.
Valente, Mr P B-Care of J R Haym, Esq. Home

Dept. Calcutte.

Vaughan, Esq J D.-H. C Str " Phiogethon." Calcutta-

Vere, Esq F W-Care of Messrs Cockerell and Co, Calcutta.

Vincent, Revd Mr .- Gazeepore.

W.

Walker, Lieut R J-(Engineer) Surveyor General's Office, Calcutta or elsewhere

Wood, Esq G-Sub-Deputy Opium Agent, Bundlecand.

Wakefield, Mr.—Raneegunge, Burdwan.
Wilson, Mrs M.—Care of Jno Baptist, Mymensing.
Wilson, Lieut H.M.—8th N.I., Phillour,

Ward, Lieut J-1st N I, Simlah.
Wollaston, Ltt C R-H M 4th or K O., Kamptee.

Wallace, Esq A—Hurpoor, via Monghyr.
Webbe, Esq C—10} Chouranghe Road, Calcutta.
Webb, Mr Chas—On board the "Auckland Flat," Dinapore.

illiams, Capt-Steamer "General McLeod," Dina-Wpore.

illiamson, Esq S—Colingera Factory, Juanpore. Walpole, Esq H—Dearie. Wiggins, J H—Steam Ship "Bentinck" Sailors' Home

WCalcutta.

Wilkinson, Major T--Bengal Cavalry. Wood, Mr G A F-Post Office, Calcutta. Williams, E-q E W-Simla.

Warman, Peter-On board Ship "Plantagenet," Calcutta,

Worsley, Major Genl Sir H, Bengal 10th N Infantry. Worrell, Samuel (2 letters)-Steward on board the " Emily," Calcutta.

Webb, E-q H B - From the firm of Mesers Baring

and Co at London, Calcutta.
Wilson, Lieut R S-52d Regt M N I to wait his arrival at Calcutta.

White, Mr C W-Volunteer H C M Bankshall, Cal-

Wilson, Major-Bengal Army. Wright, Mrs Mary-Calcutta Alms house, Mirzapore.

Williams, Mrs-Berhampore, Moorshedabad. Wilson, John-Clon Lirk Clones, Monghyr.

Wilson, John—Clon airk Clones, asongay.

Warner Esq J E—Berhampore.

Wagstaff, Mr T (8 letters)—Watch maker, Cawnpore.

Watson, Esq T E—Care of Mr Wilson, Khurdah.

Wahab, Mrs Col—Ellichpore, or Hydrabad.

Whattard, E-q R-Bengal Medical service, Calcutta. Walsh, William-H M 19th Regt foot, India.

Woodhouse, Lieut-Midnapore. Williams, Mrs E-No 13, Loudon Street, Calcutta. Wray, E-q L-Holland Estate, Province Wellesley, China.

Whiler, Mr C-Dinapore.

White, E-q John-Meerutt. Wells E-q W-Supdt Bridge of Boats, Philour, near Luodiana.

Watt, Esq R-Commillah.

Wagentrieber, J II-Lodepore in Jessore via Joynaghar.

Williams, Esq E-Ganeral Treasury, Calcutta. Walker, Mrs-Dinapore.

-Dinapore.

Watson Miss E-Per favour of Mrs Cornellus to wait her arrival at Monghyr.

Webb, Esq C-G T Survey, care of Post Office, Beerbhoom.

Womachurn Noughee,—Calcutta.
Webb, Thos—Care of L D Birch Esq, Civil Service, Madras.

Wright, Pt H-H M 29th Regt, Mecratt.

Wilson, Bt Major J-2d European Regt at Gazeepore. Wattilpelle, Lawwrycy Ivan-At Mouimein.

Wilson, J-Hoonghur, India.

Womeschunder Ghose,-At C Morrell Esq Calcutta.

Whitney, Capt W M-Ship " Brutus." Webb, Mr Jas-Brig "Elvina."

Webb, Mr Jas—Brig "Evina."
Wiley, William—Ship "Esrozepara."
Wing, Mr J B—Ship "Lady Clarke."
White, A—Ship "Mary Sharpe."
Wilson. Capt Joseph—Barque "Prince of Wales."
Weiss, Mr Wm—Ship "Reyal Saxon."
Wolf, C H—Ship de Yastsoon."
Williams, Mr—Ship "Jeenima."

Wilson Mr John-Steamer " Bentinck." Warden, Mr Thom-Bankshall, Calcutta.

Young, Misses-Care of Col Young, Assam.

Young, E-q Geo (2 letters)—Valdah. Young, Mrs C—Ferozepore. Yettie, E-q F—Care of Mr P McCalder, Rangoon.

J. R. Burlton Bennett,

Deputy Post Master General.

Calcutta, Genl. Post Office, the 18th Novr. 1847.

Agra, 30th October, 1847.

NOTICE.—Several instances having been lately brought to the notice of the Post Master General N W Provinces, of Officers having franked as on the Public Service communications to the Post Masters and Steam Agents, containing instructions regarding their private Letters and Parcels.

The annexed Extract from the Rules for the management of the Post Office Department, passed by the Governor General in Council on the 30th August 1837, is re-published for general information:

If after the date of publication of this notice, any public Officer shall frank as on "Service," a communication of the nature above alluded to, the penalty enacted in Section V. of Act XX. of 1838, will be strictly enforced.

All references and appeals to the Post Master General will be forwarded free of postage, if super-scribed "on Post Office Service," and signed with the full signature of the party by whom the reference or appeal is made.

H. B. RIDDELL,

Post Master General N. W. P.

Extract from the Post Office Rules of the 30th August, 1837.

Letters addressed to public Officer on pri-vate affairs to be Post-

Section LIX. — Letters which Individuals address on their private affairs to any Government Offices, must be

sent "Post-paid," and this Rule is to be understood to include Letters transmitting Bills of Exchange, Promissory Notes, Receipts, Government Securities, &c, to the Accountant General, Government Agent, or other public Officer, but this practice shall be reversed when public Officers write Latters on such subjects to Individuals, on which occasions they shall superscribe on the envelopes with their official signatures the words "Bearing Pestage."

(True Extract,)

H. B. RIDDELL Post Master General N. W. P.

STEAM NOTICE.

THE Public are hereby informed, that Mr. J. Pereira is appointed to officiate as Government Steam Boat Agent at Burrisaul, without Pay, until the intercourse with that Station, and the receipts from the Dacca and Assam Steam Communication may warrant the Superintendent of Marine in recommending to Government to sanction the pointment on the usual terms.

By order of the Superintendent or merine,

J. WOODLEN, . Clerk of the Goot Boot Offer.

Steam Department, the 2nd Darmber 1842.

NOTICE.—The Office of the Board of Customs, Salt and Opium, is from this day again held at No. 2, Bankshall Street.

By Order of the Board of Customs, Salt and Opium, the 24th December 1847,

CECIL BEADON, Offg. Secretary.

THE Public are hereby informed, that the Sub-Treasurer will negotiate Bills, not less than Company's Rupees 1000 each, upon the undermentioned Provincial Treasuries, at the rate cited, to the extent of the surplus available at each Treasury:

At par & three days sight.

R. WALKER,

Accountant, Govt. of Bengal.

Fort William, Accountant's Office, Revenue Department, the 17th December, 1847.

Court for the Relief of Insolvent Debtors at Calcutta.

DAVID THOMPSON, of Circular Road, and of Dhurrumtollah Street, in Calcutta, Draftsman, Coach Builder, and Trader,

Barlow Pereira, of Kharoo Maiter's Lane, in Calcutta, Section Writer,

Now Prisoners for debt in the Gaol of Calcutta, have severally filed their Petitions, praying for Relief under the Provisions of the Statute 9th Geo. IV. Cap. 73, entitled "an Act to provide for the Relief of Insolvent Debtors in the East Indies, &c.," and have severally executed an Assignment to the Common Assignee, in trust for the benefit severally of the Creditors of the said David Thompson and Barlow Pereira, of all the real and personal Estate and Effects which they now severally have, or are entitled to, or which may come to, or be acquired by them severally before the Court shall have made its final order in the matter of the said several Petitions.

Office of Examiner, 28th December, 1847. Mr. Marshall, Atty. Mesers. Molloy, Mackintosh & Poe, Atties.

Sheriff's Office, 11th December, 1847.

NOTICE is hereby given, that a Sessions of Oyer and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Ludicature at Fort William in Bengal, for the Tewn of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House, in the Town of Calcutta, on Friday, the Seventh day of January next, at 12 o'Clock at Noon.

The Court will open on the First day of the Sessions at 12 o'Clock at Noon, and upon each succeeding day, precisely at 11 o'Clock in the

Forenoon, of which all persons are required to take notice.

ADAM FREER SMITH, Sheriff.

সরিফ আফিষ ১১ দিসেম্বর ১৮৪৭ সাল।
সমাচার দেওরা যাইতেতে যে আগামি ৭ জেনেওয়ারি ১৮৪৮ সাল উক্রবার দুই প্রহরের সময় সহর
কলিকাভার কোট উইলেমের এবং ভাহার অভঃ
পাতি যে সকল স্থান ভলিমিতে বলদেশের কোট

উইলেমের স্প্রেম কোট আপন আদালত ছরে ওএরটরমিনের এবং এডমিরেলটী অর্থাৎ মহাস্মুরু সম্লুকীয় মকল্মা নিক্সন্তি জন্য এক সেশীরান অর্থাৎ মিছিল করিবেন্।

এই সেশীয়ান যতকাল পর্যন্ত বলিবেক তাহার প্রথম দিবল দুই প্রহরের সময় তাহার পর প্রতি দিবল এগারো ঘটার সময় বলিবেক এবিবয় লকলে মারণ রাধূন।

ADAM FREER SMITH, Sheriff.

Sheriff's Sale, Calcutta, 29th December, 1847.

NOTICE is hereby given, that on Thursday, the Thirteenth day of January next, precisely at the hour of 12 o'Clock at noon, the Sheriff of Calcutta will put up to Public Sale, at the Lower Verandah of the Court House, near the entrance into the Sheriff's Office, by virtue of a Writ of Venditioni Exponas in his hands against the Effects of Dougald McDougall,—

The Right, Title, and Interest of the said Dougald McDougall, of, in, and to all that Talook or Grant, No. 79, of Captain Hodge's Map of the Soonderbuns, Neiz Oschuldah, containing, by estimation, Eleven Thousand and Seven Hundred Biggahs of Land, more or less, situate, lying, and being at a place commonly called Soonderbuns, in Pergunnah Balandah, and in the Zillah of Baraset, together with a Three-storied Brick-built Messuage, Tenement, or Dwelling House, with a piece or parcel of Land thereunto belonging, containing, by estimation, Ten Cottahs, more or less, and butted and bounded as follows: (that is to say,) on the West by a Road, and the East, North and South by Lands.

And also, the Right, Title, and Interest of the said Dougald McDougall, of, in, and to another Talook or Grant, No. 172, of Captain Hodge's Map of the Soonderbuns, Neiz Collinsay, situate, lving, and being in Pergunnah Jessore, and in the Zillah aforesaid, containing, by estimation, Twenty-five Thousand Biggahs of Land, more or less.

The Conditions of Sale may be known by applying at the Sheriff's Office.

CHAS. Hoge, Sheriff.

India General Steam Navigation Company.

THE General Half-yearly Meeting of Proprietors of this Company, will take place at their Office, adjoining the Bonded Warehouse, on Monday, the 17th proximo, at 4 P. M.

The accounts will be open for the inspection of Shareholders on, and after, the 10th proximo.

By order of the Directors,

J. F. HARRISON, Secy. Calcutta, 14th December, 1847.

Civil Service Annuity Fund.

NOTICE is hereby given, that the Annual General Meeting of the Subscribers to the Civil Service Annuity Fund, will be held at the Town Hall. on Saturday, the let January next, at One o'Clock, P M, for the purpose of Auditing the Accounts of the past year, for the election of five Managers of the Fund for the year 1848, and for the consideration of any other matters that may be laid before the Meeting.

By order of the Managers,

G. Adams, Secretary. C. S. A. F. O. the 18th November, 1847.

No. 756.

BANK OF BENGAL RATES.

DISCOUNT

DISCOUNT.			
Private Bills and Notes at or within 3 months,	10 1	er	Cent
Government Acceptances do.,	6	"	"
Interest Charged			
On Fixed Loans, not exceeding 3 months, on Deposit of Company's Paper,	8	19	**
On Deposit of Opium,	9	29	**
On Deposit of Metals and Indigo,	9	"	99
On Deposit of other Goods,	10	**	1)
On Accounts of Credit, not exceed- ing 8 months, on Deposit of Com- pany's Paper,		33	11
On Deposit of Opium,	9}	,,	"
On Deposit of Metals and Indigo,	9 [,,	"
On Deposit of other Goeds,	10	"	39
Charles	Hogo	3.	

Sery. & Treasurer.

Bank of Bengal, Calcutta, 7th December, 1847.

LOST,-First Half of a Bank of Bengal Note, No. 9765. for Co.'s Rs. 25, the payment of which has been stopped at the Bank.

LOST,-Haives of the Bank of Bengal Notes, No. 4440, for Co.'s Rs. 15, and No. 26961 for Co.'s Rs. 10, the payment of which has been stopped at the Bank.

ADVERTISEMENT .- KIDDERPORE HOUSE is open for the reception of Pupils on the same terms with the Children of Subscribers.

For particulars apply to the undersigned.

By order of the General Management,

John McQueen, Secy. M. O. S

Kidderpore, 1st November, 1847.

THE New Form of "KINDRED ROLL RETURN," for Native Regiments, as directed to be used in future, under General Orders May 13, 1847, may be had on application to the Military Orphan Press, Calcutte, at Rupees 6-4 (Six Rupees Four Annas) per 100 CODIOS.

This day is published (Sept. 25th, 1847) demy 8vo pp. 840, English cloth boards,

ADDISON'S PAPERS

IN THE

SPECTATOR:

Reprinted from the BASKERVILLE EDITION, and preceded by the Rt. Hon. T. B. MACAULAY'S Essay on his LIFE and WRITINGS.

Price English Paper,....... 4 0 Ditto Serampore Paper,..... 3 0 0

F. J. MOUAT, M. D.,

Goot. Book Agent.

Govt. Book Agency, Sept 25, 1847.

Books Lately Bublished.

And for Sale at the Bengal Military Orphan Press

I INDUSTANI VERSION of the London Pharmagnetic additional

Dewanny Adawlut, for the Lower and Western Pro-vinces, Vol. IV, Part II, containing the Circulars is-

vinces, Vol. IV, Part II, containing the Circulars is-ued in 1844, Demy 4to.,

CIRCULAR ORDERS, passed by the Court of Sudder Dewanny Adawlut, for the Lower and Western Pro-vinces, Vol. IV, Part I, containing the Circular Orders from 30th December 1842 to 29th December 1843,

from 30th December 1842 to 29th December 1845, Demy 4to,

Reports of Cases, in the Court of Sudder Dewanny Adawlut, Part IV of Vol. VI, for 1838 and 1859, with Title-page and Index to the principal matters, Royal 8vo.

An Index to, and Cobrections of the Aberrace Index to the Constructions of the Sudder Dewanny and Nizamut Adawlut, by F L. Beaufort, Esq., Bengal Civil Service, published with the approval of the Sudder Dewanny Adawlut and Government, Demy 4to

ABSTRACT OF THE PROCEBBLINGS, Part II, of a Committee for the Investigation of the Coal and Mineral

Assistants in charge of Sub-Divisions, Folio Foolscap,
SUPPLEMENTARY REGISTER of the Mape to be found in the various Offices of the Bengal Presidency, sompiled under the authority of the Right Honoles the Governor General of India, from Returns received in the Office of the Surveyor General of India, 1848-1841, with Table of Contents and copieus Indian, Folio Foolscap, pp. 366,

Apply to W. Brachesta.



SUPPLEMENT TO

The Calcutta Gazette.

Published by Authority.

WEDNESDAY, DECEMBER 29, 1847.

Fort William, Home Department, Legislative, the 18th December, 1847.

The following Act is brought up before the Legislative Council this-day, The Governor General of India in Council being desirous that no time should be lost in passing the Act,

Resolved—That the Rules requiring that all Acts of the Governor General of India in Council shall be brought up for second reading in two months or in three months from the date of the first reading be suspended in respect to the following proposed Act, and that it be at once passed into Law.

ACT No. XIX. OF 1847.

An Act to make certain Amendments in the Articles of War for the Government of the Native Officers and Soldiers in the Military Service of the East India Company.

WHEREAS it is expedient to make certain Amendments in the Articles of War provided by Act XX. of 1845, for the Government of the Native Officers and Soldiers in the Military Service of the East India Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers:

1. It is therefore hereby enacted, that from and after the First day of March 1848, the Articles of War provided by Act XX. of 1845, are repealed.

II. And it is enacted, that the following Articles of War shall from and after the said day be the Articles of War for the Government of the said Native Officers and Soldiers in the Military Service of the said Company, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers. Provided always that all crimes and offences committed against the Articles of War provided by Act XX. of 1845 aforesaid may be inquired of and punished in like manner as if they had been committed against the Articles of War hereby provided; and that every Warrant for holding any Court Martial under the Articles of War provided by the Act XX. of 1845 aforesaid shall remain in full force notwithstanding the repeal of such Articles; and that all proceedings of any Court Martial upon any trial begun under such Articles, shall not be discontinued by the repeal of the same.

ARTICLES OF WAR.

SECTION I.

Of Inlisting and Descharges.

ARTICLE 1.

Every Recruit, prior to being enrolled in his Regiment, shall have the First Four Articles of the Second Section of these Articles of War read and explained to him, and when reported fit for duty in the ranks, such Declaration as is now used, if any, in the respective Presidencies, shall be made to him by the Officer Commanding, in front of the Regiment or Corps, in presence of the Native Officers and Soldiers, and an oath or declaration shall then be required from him, according to the forms of his religion, such oath and declaration to be the like as are now used in the respective Presidencies.

* ARTICLE 2.

No Commissioned Officer shall be dismissed except by the Sentence of a General Court Martial. No Non-Commissioned Officer or Soldier shall be discharged as a punishment except by the Sentence of a Court Martial, or by order of the Commander in Chief at the Presidency to which he may belong. Every such dismissal or discharge shall include forfeiture of all claim to pension. Provided also, that the Governor General in Council in his executive capacity, and the Governor in Council of any Presidency to which a Commissioned or Non-Commissioned Officer or Soldier may belong, shall have power to order his dismissal or discharge.

ARTICLE 3.

All Non-Commissioned Officers and Soldiers discharged the Service, shall be furnished by the Commanding Officer of the Regiment with a Discharge Certificate, made out in the Vernacular Language of the individual discharged, with an English Translation, expressing the authority for, and cause of, such discharge, and the period of his entire Service in the Army.

* ARTICLE 4.

No Non-Commissioned Officer or Soldier shall enlist himself in any other Regiment without a regular discharge from his former Regiment, under the penalty of being reputed a Deserter, and suffering accordingly.

SECTION II.

Crimes and Punishment.

Crimes punishable with death, transportation, corporal punishment, imprisonment, or dismissal.

ARTICLE 5.

Any Officer, or Soldier, who shall begin, excite, cause, or join in any Mutiny or Sedition in the Regiment or Corps to which he belongs, or in any other Corps or Regiment whatsoever, on any pretence whatever; or who, being present at any Mutiny or Sedition, shall not use his utmost endeavours to suppress it; or who, coming to the knowledge of any Mutiny, intended Mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer; —— or

ARTICLE 6.

Who shall strike his Superior Officer, or shall draw or offer to draw, or lift up any weapon, or use or offer any violence, against him; whether on or off duty, and under all circumstances in which his Superior Officer may be distinguishable as such in any manner; —— or

ARTICLE 7.

Who shall disobey any lawful Command of his Superior Officer;—or

ARTICLE 8.

Who shall desert from the East India Company's Service, (whether or not he shall re-enter or re-enlist in the same;)——or

ARTICLE 9.

Who, being a Sentry, in time of War or alarm, shall sleep upon his post; or shall leave it before regularly relieved, or without leave; or shall plunder or injure the property placed under his charge;—or

ARTICLE 10.

Who shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard, committed to his charge, or which it was his duty to defend; or who shall use means to induce any other Officer or Soldier so to abandon or deliver up any such Garrison, Fortress, Post, or Guard;

ARTICLE 11.

Who shall treacherously make known the watchword to any person not entitled to receive it, according to the Rules and Discipline of War;

ARTICLE 12.

Who shall hold correspondence with or give intelligence to the Enemy, or any person in arms against the State, either directly or indirectly; or who, coming to the knowledge of such correspondence or communication, shall not discover it immediately to the Commanding Officer;—or

ARTICLE 13.

Who shall directly or indirectly assist or relieve the Enemy, or Persons in arms against the State, with money, victuals, or ammunition; or shall knowingly harbour or protect any Enemy or Person in arms against the State;——or

ARTICLE 14.

Who shall treacherously release, wilfully aid, or connive at the escape of any Enemy or Person in arms against the State, placed as a Prisoner under his charge;——or

ARTICLE 15.

Who shall misbehave himself before the Enemy, or persons in arms against whom he is led, or use means to induce others so to misbehave;——or

ARTICLE 16.

Who shall in presence of an Enemy, or of persons in arms against whom he is led, shamefully cast away his arms or ammunition;——or

ARTICLE 17.

Who shall leave his Commanding Officer, or his Post, or Colours, or Party, in time of action, to go in search of Plunder;—or

ARTICLE 18.

Who, in time of War, shall do violence to any person bringing provisions or other necessaries to the Camp or Quarters of the Forces; or shall force a Safeguard; or break into any house, or other place for plunder; or plunder fields, or gardens, or other property;—or

ARTICLE 19.

Who, in time of War, shall, by discharging fire arms, drawing swords, beating drums, making signals, using words, or by any means whatever, intentionally occasion false alarms, in Action, Camp, Garrison, or Quarters;—or

ARTICLE 20.

Who shall, without proper authority, release any State Prisoner, or through carelessness or neglect shall suffer any such Prisoner to escape; or shall connive at the plunder or injury of property in time of War, or the plunder or injury of Treasure, or of a Magazine, or Dock Yard, by the Sentry or Guard in whose charge such property, or Treasure, or Magazine, or Dock Yard is placed;

ARTICLE 21.

Who, being a Sentry placed over any State Prisoner, or over Treasure, or over a Magazine, or Dock Yard, shall quit his Post without being regularly relieved, or without leave; or shall sleep upon his Post; or shall plunder or injure the property placed under his charge; Shall, if an Officer, on conviction, suffer Death,

Shall, if an Officer, on conviction, suffer Death, or Transportation for life, or be Dismissed the

And, if a Soldier, shall, on conviction, suffer Death or Transportation for life; or Imprisonment with or without hard labour, for life or for any term of years; and with or without solitary confinement for any portion or portions of the term of imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement of not less duration than such periods of solitary confinement; or shall suffer Corporal Punishment; or Dismissal from the Service; as by a General Court Martial shall be awarded. Provided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martial, or by order of his Commanding Officer.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General or District Court Martial with Dismissal, Reduction, Corporal Punishment, or simple Imprisonment with or without solitary confinement, or Loss of Standing on the Rall, of Non-Commissioned Officers and Soldiers.

ARTICLE 22.

Any Officer or Soldier who shall in operations in the field, spread reports by words or letters calculated to create unnecessary alarm in the Troops, or in the vicinity, or in rear of the Army,—— or

ARTICLE 28.

Who shall, in Action or previously to going into Action, use words tending to create Alarm or Despondency;——or

ARTICLE 24.

Who shall be drunk when on, or for duty, or on Parade, or on the Line of March;—or

ARTICLE 25.

Who shall strike or force any Sentry; ---- or ARTICLE 26.

Any Soldier who shall be grossly insubordinate or insolent to his Superior Officer in the execution of his office; or grossly insubordinate and violent in the presence of a Court Martial;——or

* ARTICLE 27.

Who, being on actual Service, shall refuse to assist in making field works;

Shall, if an Officer, on conviction, be Sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction, before a General, or District, or Garrison Court Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Provided, that such Offender shall not be Sentenced to Death, or Transportation, or Imprisonment with hard labour.

Crimes punishable by General Court Martial with Dismissal or Suspension of Officers, or by General, or District Court Martial, with Dismissal, Reduction, Impresonment with or without hard labour, and with or without solutary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 28.

Any Officer who shall behave in a manner unbecoming the character of an Officer; (the fact or facts whereon the charge is grounded being clearly specified therein;)—— or

ARTICLE 29.

Any Officer or Soldier who shall advise or persuade any other Officer or Soldier to desert, or who shall connive at such desertion; or who shall knowingly receive and entertain any Deserter, and shall not immediately on discovery give notice to his Superior Officer; or shall not cause such Deserter to be apprehended by the Civil Power;——or

ARTICLE 30.

Who shall obtain or attempt to obtain for himself, or for any Officer or Soldier, or for any other person whatsoever, any Pension or Allowance, by any false Statement, Certificate, or Document, or by the omission of the true Statement, or Certificate, or Document;—— or

ARTICLE 31.

Who shall knowingly make a false Return or Report, to any his Superior Officer authorized to call for a Return or Report, of the state of the men under his Command, or of Arms, Ammunition, Clothing, or other Stores thereunto belonging, or of which he may have charge;—— or

ARTICLE 32.

Who, at any post, or on the march, shall illegally and against the will of the parties extort money or property of any description, as fees or duties, or on any pretence whatever; or shall, without authority, exact from Villagers or others, carriage, porterage, or provisions;—— or

ARTICLE 33.

Who shall wantonly and intentionally defile any place dedicated to religious worship, or shall wantonly and intentionally insult the religious prejudices of other persons;

Shall, if an Officer, on conviction, be sentenced to be Dismissed the Service, or to be Suspended from Rank and Pay and Allowances;

And, if a Soldier, shall, on conviction before a General, District, or Garrison Court Martial, be sentenced to suffer such punishment as a General, or District, or Garrison Court Martial is by these Articles of War respectively empowered to award.

Provided, that such Offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Crimes punishable by General Court Martial with Dismissul or Suspension of Officers, or by any Court Martial with Dismissul, Reduction, Imprisonment with or without hard labour, and with or without solitary confinement, or Loss of Standing on the Roll, of Non-Commissioned Officers and Soldiers.

ARTICLE 34.

Any Officer or Soldier, who, being under arrest or in confinement, shall leave his arrest or confinement before he is set at liberty by competent authority;—— or

ARTICLE 35.

Who shall malinger, feign or intentionally produce disease or infirmity; or intentionally delay his cure; or intentionally aggravate his disease or infirmity; —— or

ARTICLE 36.

Who shall, without orders, commit any waste, or spoil, or plunder, or shall injure or destroy any property; —— or

ARTICLE 37.

Any Soldier who shall, contrary to orders, when off duty, appear in or about Camp or Cantonments, or on occasion of visiting Towns or Bazars, carrying a Sword, Bludgeon, or other Weapon;—or

ARTICLE 38.

Who shall sell, pawn, or designedly or through neglect lose or injure his Horse, Arms, Clothes, Accourrements or Regimental Necessaries; or any of the above Articles entrusted or belonging to any other Soldier;

Shall, on conviction before a General, District, or Garrison, or Regimental Court Martial, be sentenced to suffer such punishment as such Courts Martial respectively are by these Articles of War empowered to award.

Provided that such offender shall not be sentenced to Death, or Transportation, or Corporal Punishment.

Embezzlement; punishable by General Court Martial with Dismissal, Fine, and Imprisonment with or without hard labour, and with or without solitary confinement, of Officers and Soldiers.

ARTICLE 39.

Any Officer, or Soldier, who shall embezzle or fraudulently misapply any money entrusted to him on the public account, or for any Military purpose; or any Provisions, Forage, Arms, Clothing, Ammunition, or Military Stores, of whatever kind or description, the property of Government, entrusted to his charge; or who shall willing spoil such property, or suffer it to be spoiled, or shall be concerned in or connive at any such embezzlement or fraudulent misapplication;

Shall, on conviction before a General Court Martial, be Diamissed the Service, and fined to the extent of his arrears of Pay and Allowances; and be further liable to suffer imprisonment with or without hard labour for a term, which may extend to three years, and with or without solitary confinement (to be regulated as aforesaid.)

Disgraceful Conduct; punishable by General or District Court Martial, with Corporal Punishment, or Imprisonment with or without hard labour and solitary confinement, and in addition with forfeiture of additional Pay and of Pension on discharge, and stoppages, of Non-Commissioned Officers and Soldiers.

ARTICLE 40.

Any Soldier who shall be guilty of disgraceful conduct;

In wilfully maining or injuring himself, or any other Soldier at the instance of such Soldier, with intent to render hunself or such Soldier unfit for the Service, or with intent to take his own life;

ARTICLE 41.

In purloining or selling Government Stores;

ARTICLE 42.

In stealing money or goods, the property of a Soldier, or of a Military Officer, or of any Military Mess, or of any person or persons belonging to or serving with or attached to the Army; -

ARTICLE 43.

In plundering or injuring property placed under his charge as Sentry, or in charge of his Guard, or in conniving at the plunder or injury of such property; -- or

ARTICLE 44.

In embezzling or fraudulently misapplying public money entrusted to him for any Military purpose: -

ARTICLE 45.

In committing any petty offence of a fraudulent or dishonest nature, to the injury of or with intent to injure the Government, or any person, Civil or Military; — or

ARTICLE 46.

Who shall be guilty of any other disgraceful conduct, being of a cruel, indecent, or unnatural

Shall, on conviction before a General, or District, or Garrison Court Martial, be liable to suffer such punishments as any such Courts are by these Articles of War respectively empowered to award for disgraceful conduct.

And every such offender shall, if not dismissed the service, further be put under stoppages, by sentence of the Court, not exceeding half of his monthly Pay and Allowances; until the amount be made good of any loss or damage arising out of his misconduct.

And if such offender shall be Dismissed the Service, he shall further be sentenced to forfeit his arrears of Pay and Allowances due at the time of his discharge, or in such proportion as may be required to make good such loss or damage.

Crimes punishable by General Court Martial with Suspension or Reprimand of Officers, or by any Court Martial with Dismissal, Reduction, or Simple Imprisonment with or without solitary confinement, or Loss of Standing on the Boll, of Non-Commissioned Officers and Soldiers.

ARTICLE 47.

Any Officer, or Non-Commissioned Officer who shall strike or otherwise ill-treat any Soldier ;-

ARTICLE 48.

Any Sentry who, in time of peace shall sleep upon his Post; or shall leave it before regularly relieved or without leave ;-

ARTICLE 49.

Any Officer, or Soldier, who shall knowingly enlist a Deserter, or connive at his enlistment

ARTICLE 50.

Who, directly or indirectly, shall require or accept a bribe, present, or gratification, on the pretence of, or as a consideration for procuring leave of absence, promotion, or any other advantage or indulgence for any Officer or Soldier;

ARTICLE 51.

Who, being in Command at any Post, or on the march, on complaint made to him of any person under his command beating or otherwise ill-treating any person; or extorting from him more than he is obliged to furnish by authority, or disturbing fairs or markets, or committing any kind of riot; shall not see reparation done to the party or parties injured; or, if that be impracticable, shall not report the same to his Superior Officer; -- or

ARTICLE 52.

Who, being in Command of a Guard, shall refuse to receive any Prisoner duly committed to his charge; or shall without proper authority release any prisoner, or shall suffer, through carelessness or neglect, any prisoner to escape;-

ARTICLE 53.

Who shall quit his Guard, or Picquet, in time of peace, without being regularly relieved, or without leave ;--or

ARTICLE 54.

Who shall impede the Provost Marshal, or his Assistants, or any other Officer or person legally exercising authority;—or refuse to assist him when requiring his aid in the execution of his

ARTICLE 55.

Who, being on leave of absence, shall have received information from the Head Quarters of his Regiment, or from other competent authority, that his Regiment has been ordered on service, and shall not rejoin without delay ;--or

ARTICLE 56.

Who, in time of peace, shall, by discharging fire arms, drawing swords, beating drums, or by any other means whatever, intentionally occasion false alarms in Camp, Garrison, or Cautonments;

ARTICLE 57.

Who shall fail to repair at the time fixed to the parade, or place appointed, for exercise or duty, if not prevented by sickness or some other sufficient cause :-

ARTICLE 58.

Who shall, without urgent necessity, or without leave of his Superior Officer, quit his Company, or Troop, or the Parade; --- or

ARTICLE 59.

Who shall absent himself without leave; or shall, without sufficient cause, overstay the period for which leave may have been granted him and or

Any Soldier who shell be found two miss was the Camp contrary to orders;-

ARTICLE 61.

Who shall, contrary to orders, be absent from his Cantonment after tatoo, or from Camp after retreat beating;——or

ARTICLE 62.

Who shall sell, lose, or designedly, or through neglect, waste the ammunition delivered out to him:

Shall, if an Officer, on conviction, be sentenced to Suspension from Rank and Pay and Allowances; or to be Reprimanded in such manner as the Commander in Chief may direct;

And, if a Soldier, shall, on conviction before a General, or District, or Garrison, or Regimental Court Martial, be sentenced to suffer such punishment as any such Courts Martial are by these Articles of War respectively empowered to award;

Provided that such offender shall not be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

ARTICLE 63.

All crimes not capital, and all disorders or neglects which Officers or Soldiers may be guilty of, to the projudice of good order and Military discipline, though not specified in these Articles, are to be taken cognizance of by Courts Martial, and to be punished according to the nature and degree of the offence, by the Sentence of a General, or District, or Garrison, or Regimental Court Martial; provided that a Soldier shall not for any such offences be liable to be sentenced to suffer Corporal Punishment, or Imprisonment with hard labour.

Crimes incident to Courts Martial; punishable by General Court Martial with Dismissal or Suspension of Officers, and by any Court Martial with Dismissal or Reduction of Non-Commissioned Officers, and with Dismissal or Simple Imprisonment of Soldiers.

ARTICLE 64.

Any person amenable to these Articles of War, who, when duly summoned before a Court Martial, shall not attend, or shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or who shall induce any other person so to offend;

Shall be punished according to the Sentence of the same or another Court Martial, with Dismissal, or Suspension from Rank and Pay and Allowances, if a Commissioned Officer; with Dismissal, or Reduction to the ranks, if a Non-Commissioned Officer; or with Dismissal, or Imprisonment, if a Soldier:

Provided that such person, being a Commissioned Officer, shall not be liable to be punished by any but a General Court Martial; and that no offender punished under the provision of this Article of War shall be sentenced to suffer Imprisonment with hard labour, or Corporal Punishment.

ARTICLE 65.

Any person not amenable to these Articles of War, who, having been summoned before any Court Martial, shall refuse or neglect to attend; or who, attending, shall refuse to be sworn, or to make affirmation, or to answer any lawful question; or shall give such testimony as, if given in a Criminal Court, would render him guilty of perjury; or who shall induce any other person so to offend.

or who shall induce any other person so to offend; Shall be delivered to a Magistrate to be pro-

ARTICLE 66.

Any person using menacing or disrespectful words, signs, or gestures, in the presence of a Court Martial then sitting, or causing any disorder or riot so as to disturb their proceedings;

Shall be punished according to the condition of the offender and the nature and degree of his offence, by the Sentence of the same or another Court Martial, if he be amenable to these Articles of War; provided that such offender shall not be liable to be sentenced to Corporal Punishment or to Imprisonment with hard labour; and if not amenable to these Articles of War, the offender shall be delivered over to a Magistrate to be proceeded against according to law.

Perjury; punishable by General or District Court Martial with Dismissal, and in addition with Fine, or simple Imprisonment, of Officers and Soldiers.

ARTICLE 67.

Any Officer, or Soldier, who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any General, or other Court Martial, or any Military Court entitled to administer an oath; or of inducing any other person so to offend;

Shall be Dismissed the Service, and shall be further subject to Fine to the amount of his arrears of Pay and Allowances, or to Imprisonment which may extend to three years;—according to the Sentence of a General, or District, or Garrison Court Martial.

Crimes admitting of less serious notice. ARTICLE 68.

Whereas it may be advisable that some of the offences which by the foregoing Articles are directed to be tried by a General, or District, or Garrison Court Martial, should, in certain cases which admit of less serious notice, be tried by District, or Garrison, or Regimental Courts Martial-in such cases the Officer Commanding the Regiment or Corps to which the offender belongs may, if he thinks it expedient and for the good of the Service, order the offender to be tried by Regimental Court Martial, for any offence ordinarily cognisable by District, or Garrison Court Martial; making however a report in every such case, for the information of the General Officer Commanding the Division, of the reasons of his having so proceeded; or such Commanding Officer may lay a particular statement of the case before the General or other Officer having authority to convene General, or District, or Garrison Courts Martial, under whose command such offender may be serving, with an application for permission to try the offender by District, or Garrison, or Regimental Court Martial; and such General or other Officer will exercise his discretion in complying or not with such application; but the permission of such General or other Officer so to proceed, shall be entered upon the proceedings at the trial of such offender.

Previded that MUTINY shall not be considered one of the offences admitting of such discretionary investigation.

And that in cases where offences designated "Disgraceful Conduct" in these Articles of War, and admitting of less serious notice, shall be tried by Regimental Courts Martial, the term. "Disgraceful Canduct" shall be omitted in the Charge; and the offender shall on conviction be liable to

suffer such punishment as a Regimental Court Martial is by these Articles of War empowered to award.

Offences on the Line of March or on board Vessels.

ARTICLE 69.

For offences committed on the Line of March, or on board any Ship or other Vessel, the Officer in Command of the Troops is hereby authorized to try any Soldier by a Regimental, or Detachment Court Martial, and to confirm and execute the Sentence on the spot;

Provided that such Sentence shall in no case exceed that which a Regimental Court Martial is competent to award;—and that the proceedings held in all such cases shall be transmitted for the information of the Commander in Chief.

SECTION III.

Administration of Justice.

ARTICLE 70.

Whenever any Officer or Soldier shall commit a crime deserving punishment by Court Martial, he shall, by his Commanding Officer, be put under arrest, if an Officer or Non-Commissioned Officer; or if a Soldier, be confined; until he shall be either tried by a Court Martial, or shall be lawfully discharged by a proper authority; and no Officer or Soldier who shall be put in such arrest or confinement shall continue in his confinement longer than may be actually unavoidable.

And such process of arrest or confinement, or an attempt to effect such process, shall in no case be omitted where it may be practicable;—but where resistance may be made, or from other circumstances such process may be impracticable, the offender or offenders shall be liable to trial and punishment at any subsequent period, within the limitations provided in these Articles of War.

ARTICLE 71.

No person shall be liable to be tried or punished for any offence against these Articles, which shall appear to have been committed more than three years previous to the order directing the assembly of the Court Martial whereby he is to be tried, unless the person accused, by reason of his absenting himself, or some other manifest impediment, shall not have been amenable to justice within that period; in which case such person shall be liable to be tried, at any time not exceeding two years after the impediment shall have ceased.

ARTICLE 72.

Any person amenable to these Articles of War, who may commit any offence against the same, may be tried and punished for such offence in any place within the British Territories, or elsewhere, where he may have come after the commission of the offence, in the same manner as if the offence had been committed where such trial shall take place.

ARTICLE 73.

The Commander in Chief at the Presidencies of Fort William, Fort Saint George, and Bombay respectively for the time being, may appoint General or other Courts Martial, and confirm, and mitigate or commute, or remit the Sentences of such Courts; and may issue his Warrant to any General or other Officer having the Command of a Body of Troops in the service of Her Majesty, or of the East India Company, empowering such

Officer to appoint General, or District, or Garrison Courts Martial as occasion may require, for the trial of offences committed by any of the Officers, or Soldiers, or Followers in the service of the said Company, being Natives of the East Indies, or of other places within the limits of the said Company's Charter, and to confirm, and mitigate or commute, or remit the sentences of such Courts Martial.

ARTICLE 74.

A General Court Martial shall not consist of less than thirteen Commissioned Officers, unless it be held out of the East India Company's Territories, where such Court Martial may consist of seven Commissioned Officers, if a greater number cannot be conveniently assembled And no sentence of a General Court Martial shall be put in execution until after a report shall have been made of the whole proceedings to the Commander in Chief, or to some other person duly authorized to confirm the same, and until his directions shall have been signified thereupon.

Powers of a General Court Martial. * ARTICLE 75.

A General Court Martial may sentence any Officer or Soldier to Death or Transportation, for any crimes which are by these Articles of War expressly made liable to sentence of Death or Transportation, and for such crimes only.

And when a Commissioned Officer shall be convicted of any offence, of which the punishment is not defined in these Articles of War, or is left discretionary, a General Court Martial may adjudge such Officer to be Dismissed the service;—or to be Suspended from Rank and Pay and Allowances, for a stated period;—or to be Placed lower on the list of his rank, by an alteration of the date of his Commission, thereby losing the corresponding benefit of length of service; and the Court shall in every such sentence specify the extent or degree of Suspension or Reduction, which they shall so adjudge;—or the Court may sentence such Officer to be Reprimanded in such manner as the Commander in Chief may direct.

And a General Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks;—or may sentence any Non-Com-missioned Officer or Soldier to be Dismissed the service; -or to be Placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,) or may sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; -or Imprisonment with or without hard labour not exceeding two years ; - and to be kept in solitary confinement for any portion or. portions of such Imprisonment, not exceeding twenty-eight days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement, of not less duration, than such periods of solitary confinement. Provided that no Soldier shall be kept in solitary confinement more than eighty-four days in any one year, whether by the sentence of one or more Courts Martisl, or by order of his Commanding Officer,

And a General Court Martial may, in addition either to Corporal Punishment, or to Imprisonment, as aloresaid, sentence a Soldier to Forfeiture of all advantage as to additional Pay and to Pension on discharge, which might have otherwise accrued from the length or nature of his former service; or to Forfeiture of such advantage about

lutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And a General Court Martial may, in addition to the punishment of Dismissal, sentence any Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required, to make good any loss or damage arising out of his misconduct;—And, in addition to any punishment not involving Dismissal from the service, may sentence any Officer or Soldier to be put under Stoppages not exceeding two-thirds of his Pay and Allowances in the case of an Officer, and not exceeding half of his Pay and Allowances in the case of a Non-Commissioned Officer or Soldier, until the amount of such loss or damage be made good.

Confirmation and Commutation of Sentence by the Communder in Chief.

ARTICLE 76.

In cases wherein a Sentence of Death shall have been awarded by a General Court Martial, for any offence against discipline for which sentence of Death is awardable under these Articles of War, the Commander in Chief may confirm such Sentence and cause it to be carried into effect, or may, instead of causing such Sentence to be carried into effect, order the offender, if an Officer, to be Transported for life, or to be Imprisoned for any term of years, or to be Dismissed; and, if a Soldier, to be Transported for life, or to be Imprisoned with or without Hard Labour either for ife, or for a certain term of years, and with or without solitary confinement, (to be regulated as iforesaid,) as to the Commander in Chief may seem meet.

In cases of Commissioned Officers Sentenced to Fransportation, the Commander in Chief may in leu thereof order the offender to be imprisoned or any term of years, or to be Dismissed. And a cases of Commissioned Officers Sentenced to Dismissed from the service, the Commander in Chief may, in lieu of such Punishment, direct, hat the offender be Suspended from Rank and ay and Allowances for a certain period, to be distinctly specified by the Commander in Chief.

And the Commander in Chief may commute a sentence of Transportation passed on a Soldier, to imprisonment with or without Hard Labour, and ith or without Solitary Confinement (to be egulated as aforesaid); and such Imprisonment hay be either for the same period for which ransportation shall have been awarded, or for my lesser period.

And the Commander in Chief may commute a lentence of Carporal Punishment to Dismissal com the service; or, in the case of a Non-commissioned Officer may mitigate such Senence to Reduction to the ranks; or in the case of Non-Commissioned Officer or Soldier may compute such Sentence to Imprisonment without lard Labour, and with or without Solitary Connement (to be regulated as aforesaid,) for any sriod not exceeding two years.

In cases of Non-Commissioned Officers Senmed to be Dismissed from the service, the ommander in Chief may, in lieu of such punishent, direct that the offender be Reduced to the ranks, or placed lower in the list of the rank which he holds; (which shall not involve any forfeiture of service or other advantage, except that of standing.)

And in cases of offenders Sentenced to Imprisonment with Hard Labour, the Commander in Chief may mitigate such Sentence by causing the offender to be Reduced to the ranks, in the case of a Non-Commissioned Officer; or in the case of a Non-Commissioned Officer or Soldier by directing that he be Dismissed from the service; or suffer Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid.) for any period not exceeding that for which he shall have been Scattenced to such Imprisonment with Hard Labour.

ARTICLE 77.

A District, or Garrison Court Martial shall consist of not less than Seven Commissioned Officers, except in situations where that number cannot be conveniently assembled, when such Court may consist of not less than Five Commissioned Officers. And such District, or Garrison Court Martial may be composed of Officers of the same Regiment, and shall be assembled in conformity with the orders of the Commander in Chief.

And the Sentence of a District, or Garrison Court Martial shall be confirmed by the Commander in Chief, or by some Officer duly authorized to confirm the same.

Commutation of Sentence.

And the Commander in Chief is empowered to remit, or mitigate, or commute the Sentences of such Courts Martial, in the same manner as the Sentences of General Courts Martial; and to delegate to or withhold from Commanding Officers the power of convening such Courts Martial, and of confirming, remitting, mitigating, or commuting the Sentences of such Courts (not including forfeiture of pay or pension or other advantage), as the Commander in Chief may deem to be most expedient.

And in case of any Sentence, including forfeiture of additional Pay or of Pension on Discharge, or of any prospective advantage, such Sentence shall not be carried into effect until confirmed by the Commander in Chief; and all forfeitures of any present or prospective advantage shall be restorable by the same authority.

Powers of a District or Garrison Court Martial. * ARTICLE 78.

A District or Garrison Court Martial may Sentence any Non-Commissioned Officer to be Reduced to the ranks,—or may Sentence any Non-Commissioned Officer or Soldier to be Dismissed from the Service; or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing;) or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment with or without Hard Labour not exceeding one year, and to be kept in Solitary Confinement (to be regulated as aforesaid.)

And such Court Martial may, in addition either to Corporal Punishment or to Imprisonment as aforesaid, Sentence a Soldier to forfeiture of all advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued

from the length or nature of his former service, or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case, for disgraceful conduct.

And such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages not exceeding half of his Pay and Allowances, until the amount of such loss or damage be made good.

ARTICLE 79.

A Regimental Court Martial shall consist of not less than Five Commissioned Officers, (unless it be found impracticable to assemble that number, when Three may be sufficient:) and shall be assembled by order of the Officer Commanding the Regiment. And no Sentence of a Regimental Court Martial shall be of force until the Commanding Officer shall have confirmed the same. Provided that such Commanding Officer shall have power to remit all Sentences whatever passed by such Court, and thereupon to cause the offender to be released and to return to his duty.

Commutation of Sentence.

And such Commanding Officer shall have power to confirm and carry into effect or to mitigate all Sentences whatever passed by such Court; and to commute a Sentence of Corporal Punishment to Imprisonment without Hard Labour, and with or without Solitary Confinement, (to be regulated as aforesaid,) for any period for which such Court is competent to Sentence an offender to suffer Imprisonment and in the same manner; and to mitigate a Sentence of Dismissal in the case of a Non-Commissioned Officer, to Reduction to the Ranks;—and to commute a Sentence of Imprisonment with Hard Labour, to Dismissal; or to mitigate such Sentence to Reduction to the Ranks; or to Imprisonment without Hard Labour.

Powers of a Regimental Court Martial. * ARTICLE 80.

A Regimental Court Martial may sentence any Non-Commissioned Officer to be Reduced to the ranks;—or may sentence any Non-Commissioned Officer or Soldier to be dismissed from the service;—or to be placed lower in the list of the rank which he holds (which shall not involve any forfeiture of service or other advantage, except that of standing,)—or may Sentence any Soldier to suffer Corporal Punishment not exceeding fifty lashes; or Imprisonment, with or without hard labour, for any period not exceeding six calendar months; and to be kept in solitary confinement (to be regulated as aforesaid.)

Any such Court Martial may, in addition to the punishment of Dismissal, Sentence any Non-Commissioned Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required to make good any loss or damage arising out of his misconduct; and in addition to any punishment not involving Dismissal from the service, may Sentence any Non-Commissioned Officer or Soldier to be put under Stoppages not

exceeding half of his Pay and Allowances, until the amount of such loss or damage be made good.

ARTICLE 81.

An Officer Commanding any Detachment of his own Regiment, may assemble Regimental Detachment Courts Martial;—and an Officer Commanding a Detachment consisting of men of different Corps, may assemble Detachment or Line Courts Martial;—and all such Courts shall be constituted in the same manner as Regimental Courts Martial under the provisions of these Articles of War, and shall have the like powers.

And the provisions of these Articles of Warrelating to Courts Marrial held in Regiments, shall be taken to apply to Courts Martial held in Detachments, in all practicable cases.

Provided that no Officer on detached Command of less than four Troops or Companies, or of Detachments numerically equal to four Troops or C impanies, and not being on the line of march or on board any ship or other vessel, shall carry into effect any punishment awarded by a Court Martial held by his order, until the Sentence shall have been confirmed by the Officer Commanding the Regiment to which the offender belongs, or by the nearest Superior Officer holding a Command of not less than a Regiment;—(who is hereby authorized to confirm the same, in like manner, as an Officer Commanding a Regiment is empowered to do;)-Except in detached situations beyond Sea or out of the British Territories, or when on Service in the field, or in cases where an immediate example is necessary and reference cannot be made to such Commanding or Superior Officer without detriment to the Service; when the Officer Commanding such Detachment may exercise the powers which are vested in an Officer Commanding a Regiment.

ARTICLE 82.

At all Courts Martial, it shall be competent to the Officer convening the Court to instruct the Court, that, should the Prisoner be found guilty, and Imprisonment form a part of the Sentence, no portion of the Imprisonment should be Solitary;—or, should Corporal Punishment be awardable to the offender, that it shall not be awarded in the particular case; and the Court will govern itself accordingly; and such instruction shall be in writing, and shall be attached to the proceedings of the Court.

Execution of Sentences of Courts Martial. ARTICLE 83.

In every sentence of Death awarded by a General Court Martial, the Court shall specify that the offender shall "suffer death by being hanged by the neck until he be dead," or "by being shot to death," as the Court in their discretion shall deem expedient; and such sentence, if confirmed, shall be carried into effect accordingly.

ARTICLE 84.

Whenever the sentence, of a General Court Martial shall adjudge Transportation, or sentence of Death shall be commuted by competent authority to Transportation, any of the Sudder Courts shall give effect to such sentence, or commuted sentence, on the same being certified to the Court under the authority of the Commander in Chief.

And whenever any sentence of a Court Martial shall adjudge Imprisonment with hard labour, or with Solitary confinement, or both, or whenever the sentence of a Court Martial shall be commuted

to any such Imprisonment, it shall be the duty of every Judge. Magistrate, Sheriff, or other Officer in charge of a Jail, to give effect to such sentence, on the offender heing delivered into his custody, and on being furnished with a copy of the sentence by the Officer Commanding the Station or Regiment or Detacument, within which the trial is held.

ARTICLE 85.

Whenever any Soldier shall be sentenced to Imprisonment for life, or a sentence of Death shall be commuted to Imprisonment for life, it shall be lawful for the Commander in Chief to order such offender to be Transported beyond sea for life, and such order shall thereupon be made, unless there should be special reasons inducing the Commander in Chief to think such prisoner not a proper subject for Transportation.

ARTICLE 86.

Persons sentenced to Imprisonment by Courts Martial shall be imprisoned in any public prison or in any other fit place which the Commander in Chief shall from time to time direct.

ARTICLE 87.

Every Soldier sentenced to Imprisonment with hard labour, shall, previous to undergoing such punishment, be struck off the strength of his Corps from the date of confirmation of such sentence; and no Soldier who has undergone such punishment for any period shall be capable of being re-admitted in the ranks, or of receiving pension on discharge.

ARTICLE 88.

Offenders sentenced to Dismissal for disgraceful conduct;

And offenders subject to Corporal Punishment, or to Imprisonment with hard labour for disgraceful conduct shall, on any such sentence being confirmed, be Dismissed with Ignominy.

ARTICLE 89.

In every case wherein a fine, or forfeiture of arrears of pay, or stoppages shall be adjudged by a Court Martial, any pay or public money due to the offender, or that may become due to him, shall be available, with the sanction of the Commander in Chief, for the payment of the amount so adjudged.

And no Soldier sentenced to pay a fine or to stoppages to make good any loss or damage arising out of his misconduct, shall be continued under forfeiture or stoppages under any one such sentence for any period exceeding one year; and no Soldier shall be at any one time placed under forfeiture or stoppages exceeding in the whole the amount of half of his Pay and Allowances, nor be liable to be put under stoppages prospectively while actually under stoppages to the amount of half of his Pay and Allowances.

Forms of Proceeding. ABTICLE 90.

Trials by Courts Martial may be carried on between the hours of six in the morning and four in the afternoon, and not otherwise, except in cases which may require an immediate example.

ARTICLE 91,

At General Courts Martial a Judge Advocate, or an European Officer of not less than ten years service, shall be appointed to conduct the proceedings.

At all Courts Martial inferior to General, an European Officer of not less than four years

standing in the service, except in cases where no Officer of that standing may be available, or the Adjutant of the Regiment, shall be appointed to conduct the proceedings.

ARTICLE 92.

An Interpreter shall be appointed to all Courts Martial; and any Interpreter or other competent person available at the Station where the Court Martial may sit shall be appointed as occasion may require by the Officer Commanding at such Station, on application from the Judge Advocate or Superintending Officer at such Court Martial. But in situations where the services of an Interpreter or other competent person are not available, the Superintending Officer at the Court Martial shall perform the duty of Interpreter.

ARTICLE 93.

At all Courts Martial the Senior Officer shall sit as President without being so appointed by Warrant. Provided that all Subadar Majors are to take precedence according to the dates of their Commissions, and above all Native Officers holding the rank of Subadar or Jemadar; and that Sirdar Bahadoors and Bahadoors shall rank only according to their respective Commissions of Subadar Major, Subadar, or Jemadar. Rissaldars and Rissaldars will take rank with Subadars, and Naib Rissaldars with Jemadars, according to the dates of their respective Commissions.

In case of the death or unavoidable absence of the President, the next Senior Member shall take the place of President, and the trial shall proceed, provided that the Court shall still consist of at least the number of Members of which such Court is directed to consist by these Articles of War.

ARTICLE 94.

No Finding or Sentence of a Court Martial shall be revised more than once, and no Evidence shall be received on such revision. For the purpose of such revision the President and all the Members shall be convened if possible. But if any of them should be unavoidably absent, the remaining Members may proceed with such revision, provided they are not fewer than the smallest number directed in these Articles respectively. When all the same Members do not meet, the circumstances are to be duly certified on the face of the proceedings.

Manner of Voting.

ARTICLE 95.

All the Members of a Court Martial are to preserve order, and in giving their votes upon all matters are to begin with the youngest; and in all cases where a sentence of death may not be awarded, the decision shall be by the majority of Members present, provided the number of Members present be not less than that required by the preceding Articles; but in case of an equality of votes, the decision shall be in favor of the prisoner; the President at a Court Martial shall vote with the other Members, but shall have no casting vote. Provided, that in cases of an equality of votes upon other questions than the finding and the sentence, the President shall have a casting vote.

ARTICLE 96.

No sentence of death shall be given against any offender by a Court Martial, unless two-thirds of the Members present concur therein, or four where the Court consist of five Members, or five where the Court consist of seven.

Affirmations. ARTICLE 97:

On the assembly of a Court Martial, the Judge Advocate or Superintending European Officer shall administer to the Interpreter the following Solemn Affirmation:

"I, A. B, solemnly affirm in the presence of Almighty God, that I will faithfully interpret and translate the proceedings of the Court, and that I will not divulge the sentence until it shall have been published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court unless required to give evidence thereof by a Court of Justice or Court Martial, in due course of Law."

In case of the unavoidable absence of an Interpreter, the European Superintending Officer of a Court Martial inferior to General, shall make the the Solemn Affirmation prescribed for the Interpreter.

The Judge Advocate or Superintending Officer shall then cause the following Solemn Affirmation to be made by each Member:

"I, A. B., solemnly affirm in the presence o Almighty God, that I will duly administer justice according to the Articles of War, without partiality, favour, or affection, and, if any doubt shall arise, then, according to my conscience, the best of my understanding, and the custom of War in the like cases, and that I will not divulge the sentence of the Court until it shall be published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give vidence thereof by a Court of Justice or a Court Martial in due course of Law."

The following Solemn Affirmation shall then be administered by the Interpreter to the Judge Advocate or Superintending Officer:

"I, A. B., solemnly affirm in the presence of Almighty God, that I will not upon any account whatsoever disclose or discover the vote or opinion of any particular Member of the Court Martial, unless required to give evidence thereof as a witness by a Court of Justice, or a Court Martial in due course of law, and that I will not, unless it be necessary for the due discharge of my official duties, disclose the sentence of the Court, until it shall be published by authority."

Provided, that it shall be necessary to re-administer these Solemn Affirmations on the commencement of fresh trials before the same Court.

ARTICLE 98.

All persons who give evidence at a Court Martial are to be examined on Oath according to the forms of their respective religions or on Affirmation—and persons of the Hindoo or Mahomedan persuasion and other persons making Affirmation, shall make Affirmation to the following effect:

"I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth."

And if any person making such Affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn would have amounted to perjury, every such offender shall be subject to the same punishment to which persons convicted of perjury are subject.

Summoning Witnesses not amenable to these Articl • ARTICLE 99.

In all cases where persons required as witnesses before a Court Martial, may not be amenable to Military Law, the Judge Advocate or Commanding Officer shall transmit to the Magistrate within whose jurisdiction the witness may reside, his summons for the attendance of such person, and the Magistrate shall cause the witness to be duly summoned.

Powers and Duties of Provost Marshals. ARTICLE 100.

For the prompt and instant repression of all irregularities and crimes which may be committed by Troops in the Field and on the Line of March, Provost Marshals shall be appointed by the Commander in Chief, and their Powers shall be regulated according to the established Usages of War and Rules of the Service; their duties are to take charge of Prisoners confined for offences of a general description; to preserve good Order and Discipline; to prevent Breaches of both, by Soldiers and Followers of the Army, and to punish on the spot, on the same day, those whom they may find in the immediate act of committing Breaches of good Order and Military Discipline; Provided, that the punishment be limited to the necessity of the case, and shall accord with the orders which the Provost Marshals may from time to time receive from the Commander of the Forces in the Field, and that whatever may be the crime, the Provost Marshal or his Assistant shall see the offender commit the act, for which summary punishment may be inflicted, or if the Provost Marshal or his Assistant should not see the offender actually commit the crime, but that sufficient proof can be established of the offender's guilt, a Report shall be made to the Commander of the Army in the Field, who is hereby empowered to deal with the case as he may deem most conducive to the maintenance of good Order and Military Discipline. The duties of Provost Marshals being limited to the punishment of offenders whom they may detect in the actual commision of any crime, the General Commanding the Forces in the Field will cause them to exercise the powers entrusted to them in such manner and under such circumstances as he may consider best calculated to prevent and instantly to repress crimes injurious to the Discipline of the East India Company's Army and the Public Service.

Trials by European Courts Martial. ARTICLE 101.

At any Presidency where the Native Troops have hitherto been authorized to claim to be tried by European Courts Martial, every person amenable to these Articles of War, and who may be under orders for trial by a Court Martial, shall have the right to claim to be tried by European Officers; and should he make such claim, the Court, whether General, District, or Garrison, or Regimental, shall be composed of European Commissioned Officers, and the number of Members and the proceedings shall be governed in all respects by the provisions of these Articles.

And it shall be competent to the Governor General of India in Council by a General Order to authorize the Native Troops of any of the Presidencies to claim to be tried in like manner by European Courts Martial.

SECTION IV.

Effects of the Dead. * ARTICLE 102.

When any Officer or Soldier, or any person receiving public pay drawn by any Officer in charge of a Public Department belonging to the Army, may die, or be killed in the service, the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, shall, if no Heir or Executor be present, secure his Effects, and direct an inventory thereof to be taken, a duplicate of which is to be lodged in the Office of the Adjutant, or Officer in charge of the Department.

* ARTICLE 103.

If there he no Heir or Executor on the spot, the Effects are to be publicly sold; the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, after discharging the debts of the deceased, viz. the expense of Funeral Ceremonies, his Debts in Camp or Quarters, and Regimental Debts of every description, shall account for the residue to the Heir or Heirs declared by Will, whether written or verbal, or nominated in the Regimental Register, or in failure of such to the legal representative of the deceased; and in the event of no Executor, Heir, or other representative of the deceased attending and establishing his claim within twelve months from the date of the casualty, the amount in the hands of the Officer having charge of the Estate, is to be remitted to the General Treasury at the Presidency.

SECTION V.

Miscellaneous. ARTICLE 104.

The Effects of Deserters are to be publicly sold, and the proceeds after payment of Begimental Debts, remitted by the Officer Commanding the Corps to which the Deserter belongs, to the General Treasury at the Presidency, or appropriated according to the rules obtaining at such Presidency.

ARTICLE 105.

All powers and provisions contained in these Articles relating to the Commander in Chief, shall be construed to extend to the Commander in Chief at any Presidency, and to the Officer Commanding the Forces for the time being at any Presidency, unless when otherwise provided.

All powers and provisions contained in these Articles relating to Soldiers, shall be construed to extend to Non-Commissioned Officers, unless when otherwise provided.

ARTICLE 106.

When any portion of the Troops belonging to one Presidency shall be serving within the limits of another Presidency, such Troops shall be considered as placed, during such service, under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency within which they are serving, for all the purposes of these Articles of War, in the same manner as though they belonged to such Presidency; and all the provisions of these Articles of War, which relate to the trial and punishment of offenders belonging to the Presidency within which the trial is held, are hereby declared applicable to the trial and punishment of offenders amenable to

these Articles of War serving within such Presidency. Provided always, that it shall be lawful for the Governor General in Council in his executive capacity, to direct that the Troops, or any part thereof of any Presidency, whilst serving without the limits of such Presidency shall continue under the orders and authority of the Commander in Chief, or Commanding Officer of the Forces of the Presidency to which they belong for all purposes of these Articles.

ARTICLE 107

Any Officer Commanding any portion of the East India Company's Troops which may at any time be serving in any place out of Her Majesty's Dominions, or of the Possessions or Territories which are or may be under the Government of the said Company, or of the Territories of those States in alliance with the sa'd Company in which the said Company's Forces are permanently stationed, shall, upon complaint made to him of any offence committed against the property or person of any inhabitant or resident in any such countries, by any person serving with or belonging to the Company's Army, being under the immediate Command of any such Officer, summon and cause to assemble a General Court Martial, which shall consist of not less than three Officers, for the purpose of trying any such person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts Martial; and every such Court Martial shall have the same powers in regard to summoning and examining witnesses, trial of, and sentence upon any such offenders as are granted by these Atticles to General Courts Martial; provided that no sentence of any such Court Martial shall be executed until the General Commanding in Chief the Army to which the Division, Brigade, Detachment, or Party to which any person so tried, convicted and adjudged to suffer punishment shall belong, shall have approved and confirmed the same; except where such sentence shall not exceed the powers granted by these Articles to a District, or Garrison Court Martial, in which case the Officer by whom the Court is convened is hereby authorized to confirm or commute, or mitigate, or remit the same; reporting the proceedings to the said General Commanding in Chief.

ARTICLE 108.

General Courts Martial only shall have the power to try Commissioned Officers; or to pass Sentence of Death or Transportation on any offenders.

ARTICLE 109.

No person, being acquitted or convicted before a Court Martial of any offence, shall be liable to be tried a second time by the same or any other Court Martial for the same offence. Provided always, that after a Soldier shall have been found guilty by a Court Martial of any military offence, such Court Martial shall inquire into and receive evidence of any previous conviction of such Soldier before a Court Martial or a Court of Justice, and shall enquire into the general character of such Soldier; for the purpose of affixing the punishment to which he is liable to be sentenced for the offence of which he has been so found guilty.

Provided that no such evidence shall in any case be received until the Court shall have ascertained that such Soldier had previously to his trial received notice of the intention to produce such evidence on the same. And it is hereby directed that such notice shall be given to all Soldiers previous to trial.

ARTICLE 110.

No Non-Commissioned Officer shall be Reduced to the ranks but by the sentence of a Court Martial, or by order of the Commander in Chief of the Presidency to which the offender shall belong. Provided that no Non-Commissioned Officer shall be Reduced to the ranks for any limited period; nor Suspended from his rank; nor Reduced from a higher to a lower grade of Non-Commissioned Officer; nor sentenced to suffer Corporal Punishment or Imprisonment, without being first Reduced to the ranks.

* ARTICLE 111.

Any Officer or Soldier thinking himself wronged by his Superior or other Officer is to complain thereof to the Commanding Officer of his Troop or Company, by whom if the grievance be not redressed, such Officer, Non-Commissioned Officer, or Soldier, may complain to the Commanding Officer of his Regiment, who is hereby required to examine into such complaint, or remit it to his superior authority as the circumstances may require; but if the complaint should appear to be frivolous or groundless, the party preferring it shall be liable to be punished according to the sentence of a General or other Court Martial in manner hereinbefore mentioned; provided that such offender shall not be liable to be sentenced to Dismissal, nor to suffer Corporal Punishment or Imprisonment with hard labour.

ARTICLE 112.

In case of light offences, a Commanding Officer may, without the intervention of a Court Martial, award extra drill with or without pack for a period not exceeding fifteen days; restriction to Barrack limits not exceeding fifteen days; confinement in the Quarter Guard or Defaulter's Room, not exceeding seven days; removal from Staff situations or acting appointments; or may order Soldiers to be employed in piling and unpiling shot; and in cleaning accourrements of men in Hospital; but none of these descriptions of punishment shall be awardable by Sentence of a Court Martial. And a Commanding Officer may award solitary confinement not exceeding seven days.

Provided that Soldiers in confinement shall be liable to be ordered to attend ordinary drill.

ARTICLE 113

Any Officer, or Soldier, who shall be taken prisoner by the Enemy, shall forfeit all claim to pay and allowances during the period of his remaining a prisoner and until he shall again return to the service; when, if he can establish, before a Court Martial, that he was unavoidably taken prisoner in the course of service, and resisted as long as he was able, and that he hath not served with or assisted the Enemy, and that he hath returned as soon as possible to the service, he shall be entitled to receive either the whole, or such portion of his arrears of pay and allowances as the Government of the Presidency to which he may belong shall determine, after the opinion or finding of such Court Martial shall have been confirmed by the Commander in Chief. every Officer or Soldier in imprisonment under the sentence of a Court Martial, or a commuted sentence, or under the sentence of a Court of Criminal Judicature, shall, during the term of such imprisonment, receive subsistence only, to the amount of his pay proper, according to the rates of Pay granted to Officers and Soldiers of the Bengal Army.

SECTION VI.

Mode of dealing with offences not Military. ARTICLE 114.

In all places within the jurisdiction of any Civil Judicature, established by appointment of Her Majesty or of the said Company, Officers and Soldiers accused of capital crimes, or of violence, or of offences against person and property, punishable by such Civil Judicature, shall be delivered over to a Magistrate to be proceeded against according to Law.

And all Officers and Soldiers are hereby requir-" ed to assist the Officers of Justice in apprehending and securing any person so accused.

Crimes to be tried by Courts Martial where no regular Criminal tribunals exist.

ARTICLE 115.

In any place within the limits of the Charter of the East India Company, whether in or out of the British Territories, where there may be no Civil Judicature appointed by Her Majesty or the said Company for the trial of persons accused of offences ordinarily cognizable by Civil Tribunals, such offences when committed by Officers or Soldiers shall be cognizable by Courts Martial.

ARTICLE 116.

General Courts Martial shall have cognizance ordinarily, of offences punishable with Death; Transportation for Life;

Imprisonment for Life;

Imprisonment for a period which may extend to fourteen years;

Imprisonment for a period which may extend to seven years.

ARTICLE 117.

District, or Garrison Courts Martial shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period which may extend to three years, and, by special order, of offences ordinarily cognizable by General Courts Martial not hable to the punishment of Death or Transportation, with power to sentence persons convicted of such offences to Imprisonment for any period not exceeding three years

ARTICLE 118.

Regimental, Detachment, or Line Courts Martial, shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period not exceeding six calendar months, and, by special order, of offences ordinarily cognizable by District, or Garrison Courts Martial, with power to sentence persons convicted of such offences to Imprisonment for a period not exceeding six calendar months.

General Courts Martial.

Punishment of Death. ARTICLE 119.

Any Officer or Soldier who shall be convicted by a General Court Martial of the crime of "Murder" shall be sentenced to suffer Death by being hanged by the neck until he be dead.

If any injury intended against one person shall, through mistake or accident, light upon another person, and kill him, such killing shall be deemed to be murder, whenseever it would have been murden had the person against the would have been murder had the person against whom such injury was intended been killed.

Whensoever death shall result from any injury wilfully caused by an offender, but without his intending such injury to light on any person in particular, such offender shall be guilty of murder, if the offence would have been murder had he intended to do the injury to the person killed.

Offences punishable by Transportation for Life. ARTICLE 120.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences hereinafter mentioned, accompanied with an attempt to commit murder, or with wounding or other Corporal injury to any person endangering the life of such person: That is to say,

1st.—Breaking, or attempting to break, by day or night, into any Dwelling House, Tent, Boat, or other habitation, or into any building or place used for the preservation of property, with the intent to rob or steal.

2nd.—Robbery or attempt to rob;

3rd.—Stealing or attempting to steal in a house, or from the person;

Shall be Sentenced by such General Court Martial to Imprisonment with or without hard labour and Transportation for life.

Offences punishable by Imprisonment which may extend to fourteen years.

ARTICLE 121.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences specified in the last Article, accompanied with wounding or other Corporal injury to any person not endangering the life of such person;—— or

ARTICLE 122.

Of wounding, or administering poison with intent to murder, whether the person wounded or to whom poison is administered, be the person whom the offender intended to murder or another:

ARTICLE 123.

Of Robbery by open violence, or Dacoity, that is to say, going forth in the day or in the night with an offensive weapon, or in a gang with or without an offensive weapon, with the intention of committing robbery, and by force or intimidation robbing or attempting to rob any person in any place, or attacking by open violence any house, or place of habitation, or any place in which property may be kept, for the purpose of robbery; —— or

ARTICLE 124.

Of breaking, or attempting to break, into any Dwelling House, Tent, Boat, or other place of habitation, between sunset and sunrise, with intent to rob or steal;——or

ARTICLE 125.

Of breaking into any such place of habitation, or into any place used for the preservation of property, and stealing therefrom property the value of which shall exceed One Hundred Company's Rupees;—— or

ARTICLE 126.

Of purchasing or receiving plundered or stolen property, knowing it to have been obtained by robbery by open violence, or by theft or robbery aggravated as described in Article 120 or Article 121;

Shall be sentenced by such General Court Martial to Imprisonment with or without Hard Labour for a period not exceeding fourteen years.

Offences punishable by Imprisonment not exceeding seven years.

ARTICLE 127.

Any Officer or Soldier who shall be convicted by a General Court Martial of culpable Homicide not amounting to wilful murder;——or

ARTICLE 128

Of premeditated affray, attended with Homicide, or severe wounding, or other aggravating circumstance; —— or

ARTICLE 129.

Of intentionally wounding, maining, or otherwise doing Corporal injury to any person; —— or

ARRICLE 130.

Of accidentally wounding, maining, or otherwise doing Corporal injury to any person with the intention of doing such injury to another person;

ARTICLE 131.

Of breaking into any Dwelling House, Tent, Boat, or other place of habitation, or into any place used for the preservation of proper y, between sunrise and sunset, with intent to steal therein;
— or

ARTICLE 132.

Of stealing from any habitation, or from any person, any property exceeding Three Hundred Company's Rupees in value; —— or

ARTICLE 133.

Of having purchased any property so stolen, exceeding in value Three Hundred Company's Rupees, knowing it to have been stolen;—— or

ARTICLE 134.

Of Arson; — or

ARTICLE 135.

Of an unnatural crime; --- or

ARTICLE 136.

Of Rape; --- or

ARTICLE 137.

Of enticing and taking away, or of causing to be enticed or taken away for any unlawful purpose, any unmarried woman under the age of fifteen years; —— or

ARTICLE 138.

Of stealing a child under the age of eight years;

ARTICLE 139.

Of counterfeiting, or causing or procuring the fraudulent fabrication or alteration of any writtendeed, or printed paper, of any description; or any counterfeit seal or signature thereto; or the illicit imitation of any public stamp or stamped paper, established by Government; or of fraudulently issuing and publishing as true, or of fraudulently giving effect, or attempting to give effect, to fabricated deeds and papers, knowing them to be forgeries; or of using, selling or disposing of such stamped paper, knowing the same to be counterfeit;—— or

ARTICLE 140.

Of forging or procuring to be forged any counterfeit Coin, in imitation of any of the Gold, Silver or Copper Coin of the British Government in India; or of any Coin usually received as money in the British Territories; or of clipping, filing, drilling or defacing any such Coin; or of paying or tendering in payment counterfeit Coin, Bank Notes or other Securities for money, knowing the same to be counterfeit, although such Notes or Securities shall be incomplete;

Shall be Sentenced by such General Court Martial to suffer Imprisonment with or without Hard Labour, for any period not exceeding seven years.

District or Garrison Courts Martial.

Offences punishable by Imprisonment not exceeding three years.

ARTICLE 141.

It shall be competent to the Commander in Chief, and to any Officer having authority to convene District or Garrison Courts Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which the punishment of Death, or Imprisonment or Transportation for Life is not provided therein, to be tried for such offences before a District, or Garrison Court Martial, and such Court shall have power, on conviction, to sentence any such offender to Imprisonment with or without Hard Labour for any period not exceeding three years.

ARTICLE 142.

Any Officer or Soldier who shall be convicted by a General, District, or Garrison Court Martial, of stealing from any habitation, or from the person, any property, of value not exceeding Three Hundred Company's Rupees but exceeding Fifty Company's Rupees;—or

ARTICLE 143.

Of having purchased or received any stolen property of value not exceeding Three Hundred Company's Rupees, knowing it to have been stolen, but not under aggravating circumstances;

AUTICLE 144.

Of having stolen property in his possession, and of having kept possession of such property after becoming aware of its having been stolen;

Shall be sentenced by such Court to suffer Imprisonment with or without Hard Labour for any period not exceeding three years.

Regimental, Detachment, or Line Courts Martial.

Offences punishable by Imprisonment not exceeding six months.

ARTICLE 145.

It shall be competent to any Officer having authority to convene a Court Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which no punishment exceeding Imprisonment with Hard Labour for three years is therein provided, to be tried before Itegimental, or Detachment, or Line Courts Martial, and any such Court shall have power, on conviction, to sentence any such offender to suffer Imprisonment with or without Hard Labour for any period not exceeding six calendar months.

Offences punishable by Imprisonment from six months to one year, according to the description of the Court.

ARTICLE 146.

Any Officer or Soldier who shall be convicted of stealing property to the value of Fifty Company's Rupees, or of less value;—— or

ARTICLE 147.

Of Assault &r Affray, unattended with Homicide, severe wounding, or aggravating circumstances;

Shall be sentenced to suffer Imprisonment with or without Hard Labour, for any period not exceeding one year, by the award of a General, or District, or Garrison Court Martial; or, for any period not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

Offences punishable by Imprisonment from six months to two years, according to the description of the Court.

ARTICLE 148.

Any Officer or Soldier who shall be convicted of resisting the process of a Magistrate or Police Officer;—— or

ARTICLE 149.

Of having committed any offence against person or property for which provision is not already made in the preceding Articles of War;

Shall be sentenced to suff r Imprisonment for

Shall be sentenced to suff r Imprisonment for any period not exceeding two years, by the award of a General Court Martial; not exceeding one year, by the award of a District, or Garrison Court Martial; and not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

ARTICLE 150.

Any Officer or Soldier who shall be convicted by a General, or District, or Garrison, or Regimental Court Martial, of having been present, aiding and abetting, or of having caused, instigated, or procured, the commission of any of the offences specified in any of the preceding Articles, shall be sentenced by such Court to the punishment therein provided for such offence, and awardable by General, or District or Garrison, or Regimental Courts Martial, respectively.

ARTICLE 151.

No sentence of Death shall be carried into effect until confirmed by the Commander in Chief, nor, if the trial shall have been held within the British Territories forming part of either of the Presidencies of Fort William, Fort St. George, and Bombay, respectively, until such confirmation shall have been concurred in by the Government of the Presidency where such trial shall have been held.

ARTICLE 152.

The Commander in Chief is authorized at his discretion to confirm any sentence of Death, or to remit such sentence, or to commute it into Imprisonment with hard labour and Transportation for life, or into Imprisonment with hard labour for any term of years.

ARTICLE 153.

No sentence of Transportation shall be carried into effect until confirmed by the Commander in Chief, and the Commander in Chief is authorized at his discretion to confirm any such sentence, or to commute it into Imprisonment with or without hard labour for any period of time.

ARTICLE 154.

It shall be competent to any Officer having authority to confirm the sentence of a General or other Court Martial to remit any sentence passed by such Court Martial, or to mitigate such sentence by substituting simple imprisonment for imprison-

ment with hard labour, or by reducing the period of Imprisonment, or by directing the discharge of the offender in lieu of any Imprisonment.

ARTICLE 155.

A person who may have been tried for any offence by a Court Martial under the authority of these Articles of War, shall not be tried for the same in any other Court whatsoever, and no person who shall have been acquitted or convicted of any offence by a Court of Civil Judicature shall be punished by a Court Martial for the same, therwise than by Cashiering or Dismissal from the service.

ARTICLE 156.

The Regulations at present in force at any Presidency, by which the office and powers of Commissariat Officers, or Officers in charge of the Police, or Superintendents of Bazars, are defined and controuled; or by which Punchayets are constituted and guided; or by which jurisdiction is given to Courts Martial over offences committed by persons amenable to the Articles of War, within certain limits beyond or around Cantonments; are hereby declared to be in full force, and the same shall continue to be observed at the several Presidencies respectively.

SECTION VII.

Application of the Articles.

ARTICLE 157.

All Officers and Soldiers, all Drivers, Farriers, Trumpeters, and Drummers; all unattested Recruits; all Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers; all Artificers and Labourers, Suttlers, Followers, public and private, or others attached to or serving with any part of the Army, are to be governed by these Articles and subject to trial by Courts Martial.

Provided, that persons of European descent, (whether on the side of their father or mother) professing the Christian religion, shall not be amenable to these Articles; but if belonging to the descriptions mentioned in this Article, (and not being Her Majesty's natural born subjects born in Europe, or the children of such subjects,) shall be tried and punished in the same manner as persons are who are subject to the Mutiny Act and Articles of War in force for the better government of the European Officers and Soldiers in the Service of the East India Company.

Promulgation of the Articles.

ARTICLE 158.

These Articles are to be translated into the several languages of the different Presidencies, and the parts following, viz. the second Section, together with the following Articles in other Sections which are marked with an * (Asterisk), viz. 2, 4, 75, 78, 80, 102, 103, 110, and 111, are to be read once every three months at the head of every Regiment, Troop or Company mustered in the service and to every Recruit at the period of his attestation.

G. A. Bushby, Secy. to the Govt. of India.



APPENDIX TO

The Calcutta Gazette.

Published by Authority.

WEDNESDAY, DECEMBER 29, 1847.

SUPREME COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

TRUE and Perfect SCHEDULE of all ESTATES, the Administration of which has been committed to the Registrar of this Court under the Act of the Thirty-Ninth and Fortieth of George the Third, and of which the Net Balances remaining on the Administrator's Accounts have been paid over to those who appeared entitled to the same since the last Report on the First day of March to the Twenty-second day of October, One Thousand Eight Hundred and Forty-seven.

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Mehdingull, Sir Miles, Lieut. General	•	•	•	•	3287	15	•	0	0	0	Bemitted to my Agents Messrs, Palmer, Mackillop, Dent and Co., London
Nott, Sir Wm. Major, General		0	0	0	51025	%	0	0	0	٥	on account of Lady Nightingall. Ditto ditto on account of Misses Nott, the Daughters of the deceased.
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Patterson, John James Dr., Trust Ac-		0	•	0	9620	6	&	o	0	0	Paid over to John Newmarch, Esquire, Constituted Attorney of Thomas Edward Watson, being balance of assets in hand.
Perry, James	St. Rs	500	0 %	0 4	645	0	0	1178	10	4	Paid and handed over to Mr. and Mrs. Radcliffe, formerly Miss Perry, the Eldest Daughter of the deceased, being Moiety of the assets in
Peny, H. H. Lieut, the Hoa'ble	•	0	•	<u>`</u>	200		10	0	0	0	I hand. Paid over to Messrs, Allan, Deffell, and Co., on their undertaking of receiving a Power of Attenties of Hon'ble Mrs. Perry to Mr. B. Money.
Friegle, W. Assistant Surgeon		Φ	0	0	3245	.	•	0	0	0	as the Agent. Paid in Dividends and in course of payment amongst the Creditors of the deceased.
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Fort William, this 22d day of October, 1847.

T. TURTON, Registrar.

SUPREME COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL

TRUE and Perfect SCHEDULE of all Sums of MONEY, BONDS, and charge of the Registrar of this Court under the Act of the Thirty-Ninth lay of October, One Thousand Eight Hundred and Forty-six.	JLE of all Sun is Court under Hundred and For	s of the ty-six.	MONEY, BOND Act of the Thirty	S, a -Nim		SECURITY ortieth of	TES, Georg	other SECURITIES, belonging to and Fortieth of George the Third,	the under from the	ndern the	the undermentioned from the First day		ESTATES, committed to the of March to the Twenty-Second	E &	committed the Twenty-	ed to nty-Se	to the Second
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Fort William, this 22d day of October, 1847.